



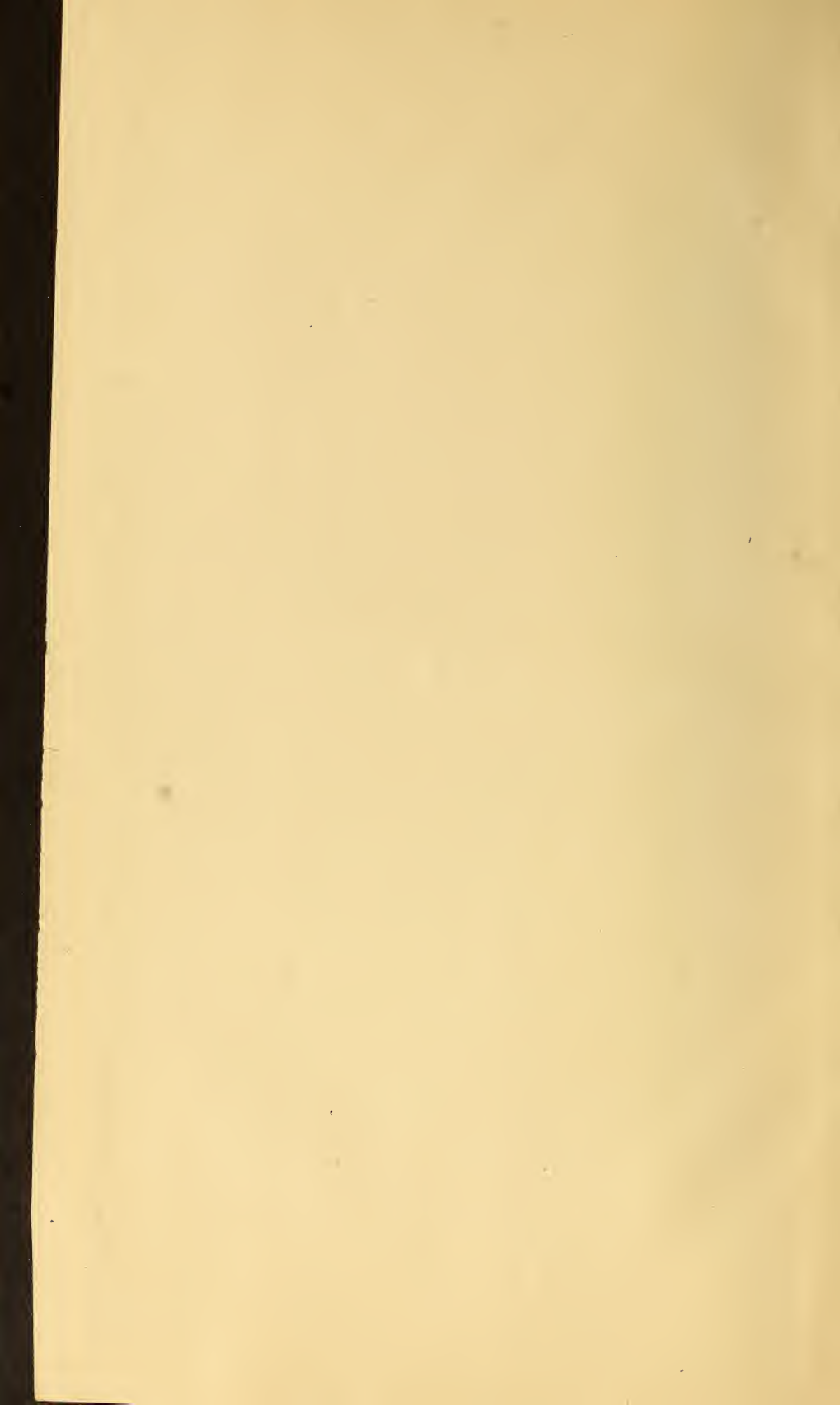


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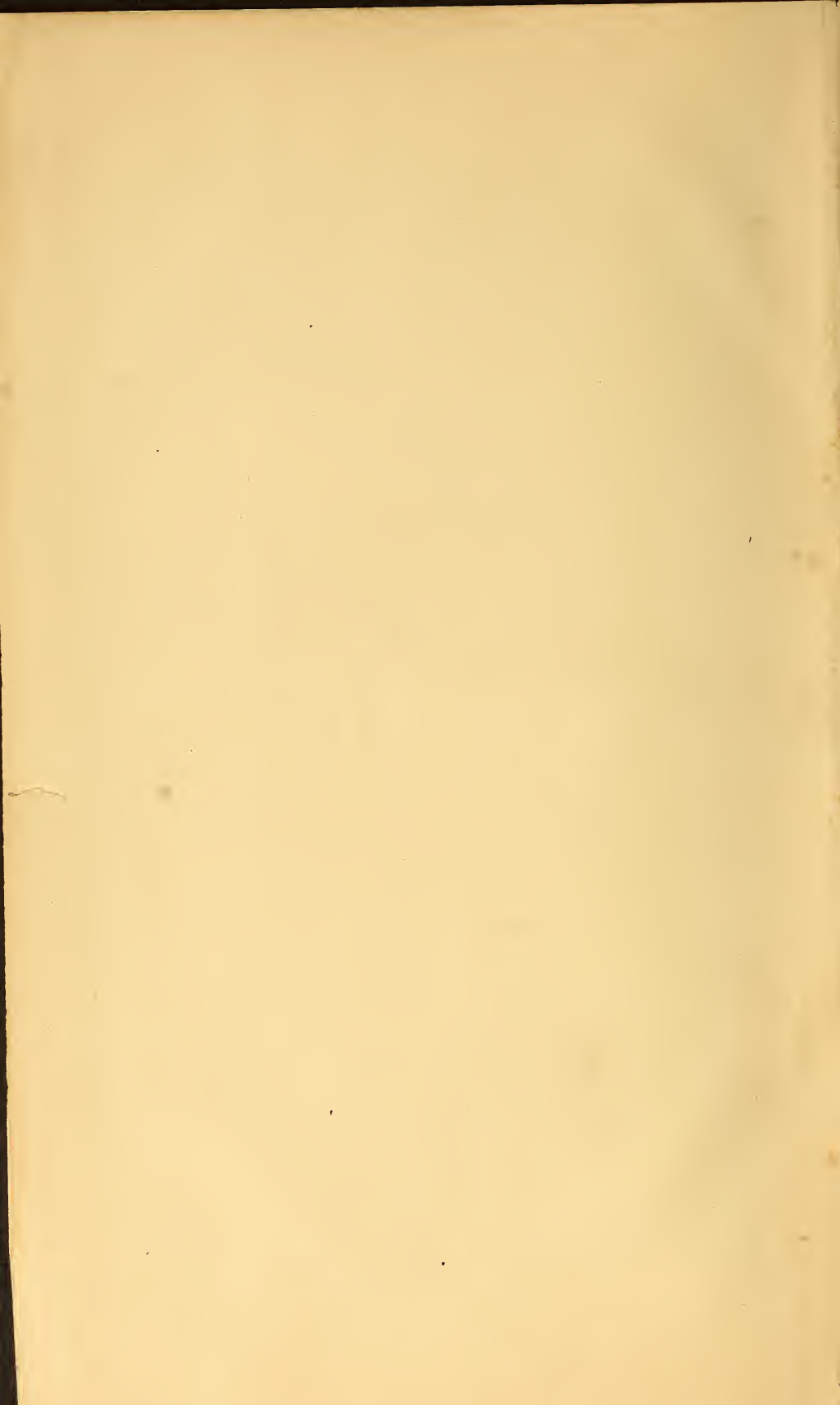
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# REPUBLICAN

# CAMPAIGN TEXT BOOK

—FOR—

1882.

## CONTENTS:

(For Extended Table of Contents, see Pages iii to viii.)

Chap.	I. Spirit of the Solid South.	Chap.	XI. Pensions and Bounties.
"	II. Contested Election Cases.	"	XII. The Tariff.
"	III. Usurpations of Democracy.	"	XIII. Who pays the National Debt.
"	IV. Political Assessments.	"	XIV. Homestead Question.
"	V. Appointments and Removals.	"	XV. The National Banks.
"	VI. Corruption of Dem. Party.	"	XVI. Reduction of Taxation.
"	VII. Bounties for Treason.	"	XVII. The Public Lands.
"	VIII. River and Harbor Appropriations.	"	XVIII. Financial Record of the Republican Party.
"	IX. Chinese Question.	"	XIX. Republican Economy.
"	X. Union Soldiers in the Depts.	"	XX. The National Platforms.

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## CONTENTS.

### CHAPTER I.

#### **Spirit of the Solid South.**

PART I—Page 1—Wade Hampton's Speech at Staunton, Virginia.

PART II—Page 2—The Confederate Brigadiers in the Senate—They eulogize Jeff Davis, and would Pension him and the Confederate Soldiers—How they Voted—Zach Chandler's scathing denunciation.

PART III—Page 4—Testimony of the Representative Press of the South as to the Demon-like rule of the Bourbons.

PART IV—Page 5—Further testimony as to the lawless and corrupt rule of the Bourbons.

PART V—Page 7—Convicted Bourbon ballot-box stuffers in Mississippi lionized by the Bourbon "Beauty and Chivalry"—Fines inflicted by Federal courts reimbursed the criminals by money raised through public entertainments—Proceedings of a public meeting at West Point, Mississippi.

PART VI—Page 8—Assassination of Col. L. W. R. Blair, a Greenbacker and United States Supervisor at Camden, South Carolina—A Cold-blooded Atrocity—A Brave Old Man Seventy Years Old Murdered by a Bourbon Leader—Previously Mobbed in the presence of Hampton, Kennedy & Co.—Persecuted and Slandered—High Character of the Victim.

### CHAPTER II.

#### **Contested Election Cases in House of Representatives at the First Session of the 47th Congress.**

PART I—Page 10—An Exposition of the Constitution and Laws governing cases of Contested Elections before the House of Representatives.

PART II—Page 13—Lynch vs. Chalmers.

PART II—Page 24—Reed's Amendment to the Rules of the House—Disgrace-

ful Fillibustering and Revolutionary Expedients and Proceedings of the Democratic Leaders of the House to defeat all investigations into the facts or merits of the Contested Election Cases.

PART III—Page 27—Mackey vs. O'Connor.

PART IV—Page 38—Lowe vs. Wheeler.

PART V—Page 44—Bisbee vs. Finley.

PART VI—Page 49—Smalls vs. Tilman.

PART VII—Page 58—Gerrymandering Extraordinary Illustrated by the Bourbon Democracy.

PART VIII—Page 62—Grand Questions for the Solution of the Nation—Shall the majority rule?—Shall the Constitution and the laws be enforced, or the Bourbon Minority be allowed to rule through Lawlessness and Fraud?

### CHAPTER III.

#### **Usurpations of the Democracy through Lawlessness and Fraud.**

PART I—Page 65—"Counting in" a Democratic Invention, and peculiarly a Democratic Practice—"Counting in" of James K. Polk as President in 1844—Of James Buchanan in 1857—The Disastrous Consequences to the Nation—The attempted "Counting in" of Samuel J. Tilden in 1876—A Brief Review of the immense Democratic Frauds in the Campaigns of 1844 and 1857 compared with those of 1876.

PART II—Page 68—Democratic Cry that Tilden in 1876 was elected President—That Tilden was Counted Out by the Louisiana and Florida Returning Boards—That notwithstanding, Tilden had an Immense Majority of the Popular Vote—The cry a part of the Tilden Conspiracy in 1876 to seize the Presidency through Lawlessness and Fraud.

PART III—Page 69—Statistics in Illustration of the above—The Presidential Election in 1844—James K. Polk, in a popular Minority of 24,119, received in the Electoral Colleges a Majority of 65.

PART IV—Page 71—What was Tilden's majority?—What its Character?—Was it the Result of a Lawful Vote, or the Violent Product of wholesale Fraud?—The vote of 1876.

PART V—Page 73—Florida in 1876—Bloody Violence failing, Fraud and Judicial Usurpation resorted to—A Brief History of the entire series of Fraudulent Proceedings by which Tilden strove to Capture its Electoral vote—Facts, Figures, and Incidents.

PART VI—Page 76—Louisiana in 1876—Its Population and Votes—The Ku-Klux Crimes of 1868—Tilden Rifle Clubs of 1876—Murderous Outrages in Seventeen Parishes—State Returning Board—Its Duties—Infamy of Tilden and the Democracy.

PART V—Page 79—Relative Geographical Area, Wealth, Population and Intelligence in 1876 of the Hayes and Tilden States.

PART VIII—Page 81—The United States under the Forty-Sixth Congress an Oligarchy.

## CHAPTER IV.

**Political Assessments—Their Origin With the Democratic Party, and their History.**

PART I—Page 92—The Conspiracy of 1876 of the Confederate Brigadiers and Copperhead Democracy to wrest the Control of the National Government from the hands of the Republican Majority.

PART II—Page 94—The Contribution Circular of the Republican Congressional Committee—Senator Pendleton's Resolution and Speech, in the United States Senate, on Political Assessments.

PART III—Page 95—Statesmen as Claim Agents—The Pendleton-Belknap Kentucky Central Railroad Job—Pendleton assesses fifty per cent. of the Proceeds.

PART IV—Page 96—Pendleton's Qualifications as a Civil Service Reformer—His War and Financial Records—A Typical Copperhead Democrat—Theoretically Virtuous and Patriotic.

PART V—Page 97—Senators Allison and Hale, members of the Republican

Congressional Committee, in the Senate, dispose of Pendleton's Absurd Scraed—Mr. Hiscock, a member of the Committee, disposes in the House of Springer's and Sitzer Samcox's hypocritical Palaver.

PART VI—Page 99—George William Curtis's circular to Government Employees respecting the Republican Congressional Committee's Contribution Circular—Correspondence of Chairman Hubbell and Curtis—Opinions of Attorney-General and Letter of Secretary Folger—Curtis in the role of Reformer.

PART VII—Page 103—Origin of Political Assessments—They have their Rise in the Corrupt Party Practices of the Democratic Party.

PART VIII—Page 105—The Covode Investigation in 1860—It covers the Period from 1853 to 1860—Its Exposure Amid the Corruptions of Pierce's and Buchanan's Administration of Partisan Assessments as a Cardinal Feature of the Democratic Organization—President Buchanan and Governor Hendricks Superintend the collections.

PART IX—Page 108—Further Proofs from the Unpublished Records of the Department of the Interior of the manner in which these partisan Assessments were made and collected under Presidents Pierce and Buchanan by the Democratic Party.

PART X—Page 111—The law of 1876, prohibiting Political Assessments—Some facts in the History of its Passage.

PART XI—Page 113—Further exposure of the False Pretenses of Pendleton, Randall, Cox, and Curtis, in the Matter of Political Assessments.

## CHAPTER V.

**Appointments and Removals—The Guiltotine.**

PART I—Page 115—Washington's Administration.

PART II—Page 116—John Adams's and Jefferson's Administrations.

PART III—Page 118—Removals and the Question of Patronage.

PART IV—Page 119—Retrenchment and Reform and Reduction and Purification of the Patronage.

PART V—Page 120—Executive Patronage "had increased, was increasing and should be diminished"—Reform



was necessary—Jackson pledged to cleanse “the Augean Stables”—His popularity in consequence—Number of Officers doubled under Jackson—Consequent increase of expenditures, &c.

PART VI—Page 121—Specimens of the Appointment Literature of the Time.

PART VII—Page 122—“To the Victors belong the Spoils.”

PART VIII—Page 123—Van Buren’s Administration simply an addendum of Jackson’s in the matter of Removals and Appointments—Nevertheless Van Buren removed 360 Postmasters, etc.—He appointed none but Partisans or Democratic Reformers to Office.

PART IX—Page 123—The Guillotine under the Whigs.

PART X—Page 127—The Guillotine under President James K. Polk.

PART XI—Page 128—The Guillotine Again Under the Whigs.

PART XII—Page 129—The Guillotine Under Pierce and Buchanan.

PART XIII—Page 133—Removals and Appointments under Presidents Garfield and Arthur.

PART XIV—Page 135—Brief Review of the Foregoing Sketch of Appointments and Removals.

## CHAPTER VI.

### **Maladministration and Corruption of the Democratic Party in Control of National Government.**

PART I—Page 137—Ratios of Democratic defalcations compared with Republican honesty.

PART II—Page 138—“Retrenchment, Economy, and Reform” of the Pecksniffian Democracy—From 1828.

PART III—Page 138—Inauguration of Andrew Jackson, the founder of Modern Democracy—“To the Victors belong the Spoils.”

PART IV—Page 138—National Humiliation and Disgrace and Great Pecuniary loss the Total of Jackson’s Reforms—Confession in 1839 of Democratic Minority of Harlan Committee.

PART V—Page 139—“Feculent, reeking Corruption”—A long array of Defaulters in the Mexican War—Its prodigious Expenditures and Plunder.

PART VI—Page 139—Mammoth Frauds of Washington “Rings” under President Pierce and Buchanan—Pierce’s “Outlaws of the Treasury”—The actual and proposed plunder under Pierce estimated at \$300,000,000!—Buchanan’s Administration simply a continuation of Pierce’s Reign of Plunder and Tyranny in Support Slavery.

PART VII—Page 140—Immensely Increased Democratic Expenditures—Increased Taxation of the People to Support this System of Wholesale Corruption, Plunder and Fraud.

## CHAPTER VII.

### **Bounties for Treason through Unlawful Claims to Ex-Confederates.**

PART I—Page 141—Northern Stump Argument Proving that No Danger Exists from Rebel Claims.

PART II—Page 142—\$2,492,899,926 Exacted by the Solid South as Compensation for Treason—A Sum Greater than the National Debt Demanded by Those who Created it—Northern Taxpayers Invited to Foot the Bill.

PART III—Page 144—“Justice and Right” the basis of Rebel Demands—Rebel Claims a “Part of the war debt of the Nation” and must be paid, or—

PART IV—Page 145—How Rebel Claims Grow—Fecundity of Rebel mules—Æsthetic Fence Rails and expansive Pork.

PART V—Page 146—A Brief Review of some of the Rebel Claims—Direct Tax—Cotton Tax—Special Relief—Destruction of Property—Compensation for Slaves—Rebel Mail Contractors, &c.—They Already Reach Three Thousand Millions of Dollars—“Where will it end?”

PART VI—Page 147—The Southern Mail Contractors’ Fraud—An attempt at Wholesale Robbery by Southern Statesmen, by means of barefaced Falsehood—How Congressman Willets stopped the Steal.

PART VII—Page 152—Another Entering Wedge—The William and Mary College Steal.

PART VIII—Page 155—Conger’s Proposed Constitutional Amendment Prohibiting Payment of Rebel Claims—The Vote Thereon—It is Opposed to Democratic Policy to make Loyalty a Test for Rebel Claimants.

PART IX--Page 153--The great danger from Democratic Ascendency--The Neal Dow Case--How a rebel court aided by a Democratic Judge of the Supreme Court proposed to steal from a Union Colonel.

## CHAPTER VIII.

### **The River and Harbor Appropriation.**

PART I--Page 154--Report of the Committee on Commerce.

PART II--Page 155 -- The President's Special Message.

PART III--Page 155 -- Debate in the House.

PART IV--Page 159--The Bill in the Senate.

PART V--Page 159--The two Houses pass the Bill.

PART VI--Page 158--President Arthur Vetoes the Bill.

## CHAPTER IX.

### **The Chinese Question.**

PART I--Page 161--Chinese Question in California.

PART II--Page 162--Republican Record Against Chinese Immigration, &c.

PART III--Page 162--Further Record of the two Parties on the Chinese Question.

PART IV--Page 164--The Chinese Bill of 1882.

PART V--Page 165--President Arthur Vetoes the Bill.

## CHAPTER X.

### **Confederate Soldiers under Democratic Congress--Union Soldiers in the Departments.**

PART I--Page 167--Democratic Civil Service Reform in the House--Wounded and Crippled Union Soldiers Kicked Out to Give Place to Rebel Soldiers--"Dinna ye hear the Slogan"--'Tis Jeff Davis and His Men.

PART II--Page 168--"Civil Service Reform" in a Democratic Senate--A Rule, adopted in 1854, for "Spoils," is Abrogated in 1879 for "Spoils"--Con-

federate Soldiers to the Fore, and Union Soldiers Bounced.

PART III --Page 169--The Washington Police--"Put None but Confederates on Guard" will be the Watchword when Democrats obtain full Power--The preliminary Steps already taken.

PART IV--Page 169 -- Senator Harrison's Report on Vorhees' Resolution --The man who Denounced Union Soldiers as "Lincoln's Dogs" in 1864, is Solicitous for their Welfare in 1882.

## CHAPTER XI.

### **Pensions and Bounties.**

PART I--Page 173--Bill for Equalization of Bounties in 43d Congress only failed to become a law by being passed too late to receive Presidents signature--Representative Democrats in House Vote against it--Only one Democrats in Senate voted for it.

PART II--Page 173--Pensions -- The Fundamental Pension Act of July 14, 1862, etc.

PART III--Page 175--Arrears of Pensions a Republican Measure.

PART IV--Page 176--The Democratic Record--So Called.

PART V--Page 177--The Clerical Force in the Pension Office.

## CHAPTER XII.

### **The Tariff.**

PART I--Page 178 -- "Encouragement and protection" to American industry the "True American System"--Its Advocates Illustrious Statesmen of Practical Genius--Washington, Franklin, Hamilton, Calhoun, Clay, Andrew Jackson, Madison, John Q. Adams, Webster, Garfield, Lincoln, and Grant.

PART II--Page 179--Protection to American Industry the Cause Underlying the Struggle in 1776 for American Independence.

PART III--Page 179--Protection under the Confederation.

PART IV--Page 180--Protection under the Government of the Constitution.

PART V--Page 180--American Manufactures from 1795 to Peace of 1815.

PART VI--Page 181--Tariff of 1816.

PART VII--Page 183--Subsequent Tariffs from 1816 to 1842.

PART VIII.—Page 184.—Tariff of 1842.

PART IX.—Page 184.—Tariff of 1846.

PART X.—Page 188.—Free Trade—Its History Under Our Government—The Handmaid of Slavery and Secession.

PART XI.—Page 191.—The South under the Rule of its Free Trade Dogmas.

PART XII.—Page 193.—The So-called Morrison Tariff of 1876—Prepared by the English Cobden Club for the Ruin of American Industry—Supported in House by the Democrats, but beaten by the Republicans.

PART XIII.—Page 194.—Hurd's Resolutions in 1880, for the Restoration of the Free Trade Tariff of 1846.

PART XIV.—Page 196.—Knit Goods—Duty on Woolen Goods.

PART XV.—Page 197.—Tariff Commission.

PART XVI.—Page 198.—Mr. Mills' (of La.) Free Trade Amendment to Tariff Commission Bill—Attempts to tack free trade tariff of 1846 to bill.

PART XVII.—Page 198.—Protection increases the sales and profits of agriculture.

PART XVIII.—Page 200.—Protection Greatly Increases the Wages of Labor.

PART XIX.—Page 204.—Grand Results of Protection in Increased National Power and Wealth.

## CHAPTER XIII.

### Who Pays the National Taxes.

PART I.—Page 205.—Sources of Public Revenue—Customs, Internal Revenue, and Public Lands—The Masses Pay No Taxes—Only Those who Indulge in Foreign Broadcloths, Brussels and Turkey Carpets, Diamonds, &c., in Whiskey, Wines, and Tobacco—Real Estate and Necessaries of Life Untaxed by National Laws.

## CHAPTER XIV.

### The Homestead Question.

PART I.—Page 207.—Republican Attempts prior to 1860 to Give Homesteads to Actual Settlers—Persistent Democratic Opposition—Homestead Bills Denounced as Pernicious by the Slave Oligarchy.

PART II.—Page 208.—The Republicans Succeed—And the Slave Oligarchy Succeed—Industrious Freemen Triumph in Republican Success—Land for the Landless and Homes for All.

## CHAPTER XV.

### The National Banks.

PART I.—Page 209.—Bill to extend their Charters twenty years.

PART II.—Page 212.—Statistics Relating to the Banks.

## CHAPTER XVI.

### Reduction of Internal Revenue Taxation and of Customs Duties.

PART I.—Page 215.—Bill in the House of Representatives.

PART II.—Page 215.—The Bill in the Senate.

PART III.—Page 216.—The Carlisle Bill of 1881.

## CHAPTER XVII.

### The Public Lands.

PART I.—Page 217.—Policy of Granting Public Lands for Internal Improvement Purposes.

## CHAPTER XVIII.

### Financial Record of the Republican Party.

PART I.—Page 218.—Republican Party in 1860, found a Bankrupt Treasury with Bonds bearing 12 per cent. interest—Democratic Mal-Administration had brought Financial Ruin upon the Country—And ended in attempting to destroy the Government.

PART II.—Page 222.—Analysis of the principal of the Public Debt of the United States from July 1, 1856, to July 1, 1882.

PART III.—Page 223.—Analysis of Foreign-going Table—Resumption.

PART IV.—Page 225.—August Statement of the Public Debt.

PART V.—Page 226.—The Currency.



PART VI—Page 230—Aggregate and Annual Reduction of Expenses.

---

## CHAPTER XIX.

### **Republican Economy.**

PART I—Page 231—Republican Economy shown by a comparison of the last three years of Republican Appropriations with the last three years of Democratic Appropriations.

PART II—Page 233—Statement of the Appropriations Made by Congress for

the Fiscal Years 1882 and 1883, by Appropriation Acts.

---

## CHAPTER XX.

### **Political Platforms.**

PART I—Page 235—Republican 1880.

PART II—Page 237—Democratic 1880.

PART III—Page 237—Greenback 1880.  
Page 239—Statistical Tables.

## CHAPTER I.

### The Spirit of the "Solid South."

#### PART I.

#### Wade Hampton's Speech at Staunton, Virginia.

Following is the speech of Senator Wade Hampton at Staunton, Virginia, July 26, 1880, as reported by the Staunton Valley Virginian:

"The largest political meeting ever held in Staunton was that on Monday last. The Opera House was crowded with an audience variously estimated at from fifteen hundred to two thousand people. Some three or four hundred were ladies, and about an equal number boys, while the men comprised voters of every political creed and color. Captain John H. Crawford was called to the chair, and Major Elder offered the resolutions, which were unanimously adopted. Captain Baumgardner, in his usually happy manner, then introduced Senator Wade Hampton of South Carolina. General Hampton is a man of fine physique and splendid appearance, and as he stepped forward to the stage round after round of applause greeted him."

**The indissoluble bonds of the Confederacy—The "glorious heritage of hate and lust of power"—"Turn back the hands."**

"After alluding to the fact that his ancestry were Virginians, and had fought side by side with the sons of the old State, and to his own services during the late war, he said: 'So it is that I am bound to you by bonds which death alone can sever. So it is that I, like so many of the veterans of the Confederacy, am jealous of the honor and proud of the glorious heritage bequeathed to her by her Lee and her Stonewall Jackson. Do not understand that I come here to dictate a policy to you, or to advise you what you must do; rather am I here to consult with you as a Democrat, as a man, and as a Southern soldier; as one who looks back to the time when he shared with you privations and suffering and defeat in the Army of Northern Virginia.'"

**He adjures Virginia by her Confederate traditions to stand with the "Solid South!"**

"I am here to voice the earnest hope that I feel, to utter the fervent prayer of my heart, that Virginia, the Mother of States, will not prove recreant to all her high traditions. We have always looked to her to lead, and we know that she has the right to do so. We know her history, and we know that in seeking the path of duty she has ever found the way to glory. I adjure you by your traditions, by all that you hold sacred, to lead again Virginia as you have done heretofore, not always to victory, but always to honor."

**With 138 votes from the "Solid South," only New York and Indiana needed—Will Virginia "Sacrifice the South?"—Secession again threatened.**

"What is Virginia's duty now! You hardly realize, my friends, how much depends on the action of your State. With a united South casting 138 electoral votes, we need only New York and Indiana, and I believe we shall have them. Will Virginia, when we have success within our very grasp, sacrifice the Democratic party? Will she sacrifice the South? Will she sacrifice the National Government by aiding, indirectly though it be, to elect a Republican President? I will not believe it."

**By the "exalted teachings," the "ennobling inspirations" of our "glorious" four years of rebellion, be not "recreant" now!—The "one great object" of the South, Hancock's election, "Fight for it, and Win."**

"I stood for four years by the side of Virginians, and I know the stuff of which they are made. In those four years I never saw them falter. At this crisis I cannot, I will not, think that you will prove false to your traditions—that you can prove recreant to the exalted teachings, the ennobling inspirations of your glorious past. Put by everything that can distract your attention from OUR ONE GREAT OBJECT. Look only to that, fight for it, and win the fight."

**He attacks the Republican party—Bewails a loss of State rights and "the fate of the South"—This election the "Last Ditch" of Confederate Democratic rule.**

"I have nothing to say to you about your local differences; we have them in our own State, but we have resolutely put them behind us. Realize, if you can, what will follow a Republican triumph in November. You have all seen what strides that party has made toward centralization; you have seen your judge stricken down by the mailed hands of the National Government; you have seen the Republican party mass troops at the polls to overawe your free suffrage; you have seen their Deputy Marshals, their Supervisors, their Returning Boards—the instruments of an overthrow of the last vestige of State rights. I tell you, my countrymen, the fate of the South will be harder than ever if the Republican party is successful in this campaign. We shall behold no more free elections, no more untrammelled expressions of political sentiment, and no one of us now living will ever again see a restoration of Democratic rule and principles."

**Elect Hancock and the Republican vote North (as in the bull-dozed South) shall disappear—"Peace and Union" when the South can dictate.**

"If we elect the Democratic nominees the Republican party will go to pieces like a rope of

sand. Their mission is ended if they ever had a mission. There is nothing that holds them together to day save 'the cohesive power of public plunder.' The Democratic party is the party of peace and of union that would blot out all sectional differences forever, and it has proved this in the nomination of General Hancock at Cincinnati. There was but one feeling there among the Southern delegates. That feeling was expressed when we said to our Northern Democratic brethren, 'Give us an available man.' They gave us that man, and we have put it in the power of the people to elect the ticket. They can elect it if they will."

**The "Solid South" again—"Consider what Lee and Jackson would do"—  
"These are the same principles for which they fought"—Do not abandon them now!**

"You will hear from one to-day who can speak for North Carolina. Governor Vance will confirm my words that we can carry the South if you will only carry Virginia. He has come, like me, to appeal to you not to forsake us in the hour of need. CONSIDER WHAT LEE AND JACKSON WOULD DO WERE THEY ALIVE. THESE ARE THE SAME PRINCIPLES FOR WHICH THEY FOUGHT FOR FOUR YEARS. REMEMBER THE MEN WHO POURED FORTH THEIR LIFE-BLOOD ON VIRGINIA'S SOIL, AND DO NOT ABANDON THEM NOW. REMEMBER THAT UPON YOUR VOTE DEPENDS THE SUCCESS OF THE DEMOCRATIC TICKET."

**The denial that he made that speech—  
The convincing proofs of the fact.**

The above speech created such a deep feeling in the Northern mind that the Southern as well as Northern leaders of the Democracy feared it would solidify the North for General Garfield. To break its force they made haste to deny that Wade Hampton had used the language thus attributed to him, and Wade Hampton wrote a letter in which he admits that he "appealed to the Virginians present to consider before they voted how Lee and Jackson would vote were they now alive," but says:

"I have not the slightest recollection of having used the language attributed to me in the closing sentences of your report, and I certainly never intended to convey the idea embodied in them. Your reporter misconceived my language."

But the evidence is overwhelming that he did use it, whatever his "recollection" or "intention" may have been. The New York Tribune at once investigated the matter fully, and published more than two columns of proofs. Of these it is enough to say that four of the best known leading Democrats of Staunton joined in the following card:

"We, the undersigned, heard the speech of General Wade Hampton, delivered in Staunton, on the 26th of July. We have also read the report thereof published in *The Valley Virginian* on the 29th of July, and hereby certify that that report was substantially correct.

ARCHIBALD G. STUART,  
H. C. TINSLEY,  
A. C. GORDON,  
HUGH F. LYLE."

And that the report of the passage in question in the Democratic paper of

Staunton, made by Mr. H. C. Tinsley himself, is essentially the same as that given by the Republican paper, as will be seen by the following:

From *The Valley Virginian*.—From *The Vindicator*,  
ian. (Rep.) (Dem.)

"Consider what Lee and Jackson would do cast your vote. Think were they alive. These how Lee would have are the same principles voted. Think what for which they fought Jackson would have for four years. Remember done before he would ber the men who poured have cast a vote calcul-forth their life blood on lated to divide his be-Virginia's soil, and do loved Virginia. I ask not abandon them now. you to remember those Remember that upon who have died on your your vote depends the soil, and to remember success of the Demo-the principles they cratic ticket." died for are again on trial to-day I say nothing of your differences."

The Staunton Valley *Virginian* also repeats, in the most positive manner, that—

"General Hampton declared that the Democratic party, under Hancock's lead, was fighting for the same principles that Lee and Jackson fought for, and for which the Southern soldiers died. THERE WAS NO QUALIFICATION IN THE TERMS USED. His appeal was for harmony in the Democratic party in Virginia, and to make it effective he brought up the war remembrance to touch the feelings of the audience."

## PART II.

**Confederate Brigadiers in  
the Senate—They Eulogize  
Jeff. Davis, and would Pension  
him and the Confederate  
Soldiers—Democratic  
Votes—Zach. Chandler de-  
nounces them.**

On March 3, 1879, the Pension Arrears Bill was before the U. S. Senate. To that an amendment was offered extending the arrears to Mexican war veterans when Mr. Hoar, of Massachusetts, moved the following as an amendment to the amendment:

*Provided further*, That no pension shall ever be paid under this act to Jefferson Davis, the late president of the so-called Confederacy.

Instantly the ex-Confederate chieftains in the Senate were upon their feet in vindication and eulogy of the arch rebel. To them, as indeed to the Northern Democratic leaders, Jeff. Davis is the representative, the embodiment of the "lost cause," and nothing so expresses their devotion and love for him as the utterances of this debate.

Senator Garland, of Arkansas, roundly declared that Jefferson Davis

Would scorn it (the pension) if tendered grudgingly. \* \* \* His services are upon the



record of this country, and while they may not surpass, yet they will equal in history all Grecian fame and all Roman glory.

Senator Thurman, of Ohio, a Northern Democrat, could see no difference between repentant rebels now honored with office in the Republican party and the unrepentant Jefferson Davis! and added:

The American people want not only that there shall be amnesty \* \* \* but that as soon as possible there may be oblivion.

Senator Gordon, of Georgia, also could not see any difference except, because

One is radical, and the other is not; *that is all.*

Senator Lamar, of Mississippi, expressed "surprise and regret that the Senator from Massachusetts (Mr. Hoar) *should have wantonly, without provocation, flung this insult!*" Said he, continuing:

\* \* \* There was no distinction between insult to him and the Southern people, except that he was their chosen leader and they his enthusiastic followers; *and there has been no difference since.* The Senator, it pains me to say, coupled that honored name with treason; for, *he is honored among the Southern people.* He did only what they sought to do; he was simply chosen to lead them in a cause which we all cherished, and *his name will continue to be honored for his participation in that great movement which inspired an entire people, the people who were animated by motives as sacred and noble as ever inspired the breast of a Hampden or a Washington.* I say this as a Union man to-day. The people of the South drank their inspiration from the fountain of devotion to liberty and to constitutional government. We believed that we were fighting for it, and the Senator *cannot put his finger upon one distinction between the people of the South and the man whom the Senator has to-day selected for dishonor as the representative of the South.*

Senator Gordon again arose to declare that—

Whatever poison is carried in the breast of Mr. Davis by this Parthian arrow, sent back from recently defeated Republican ranks, must of necessity find lodgment in the breast of every man of the South whose sensibilities are capable of a wound.

Senator Morgan, of Alabama, eulogized him as "a man of high character, of great courage, of established abilities, a man whom we could trust."

Senator Coke, of Texas, said:

I tell you, candidly and sincerely, that we love Jefferson Davis because he represented us in a struggle in which our young men and our old men went down to their graves, and by which our women were made widows and our children were made orphans. He represents us, and we love him; we respect and revere him.

Senator Ransom, of North Carolina, replying to a question, said:

I tell him (Mr. Hoar) that if I were in his place as I am now in my place—and I speak deliberately—and I believed Mr. Davis was an enemy to this country, I not only would not pen-

sion him, but I would have for him feelings of unutterable aversion. But it is impossible that Mr. Davis can be an enemy to this country. \* \* \* He never was an enemy of this country. \* \* \* He belongs to history as does that cause to which he gave all the ability and devotion of his great nature. *There I trust both.* \* \* \* I hope we all will vote upon this amendment, and vote our sentiments.

Most of those Democratic senators who were not paired *did* vote for these Confederate "sentiments." No Democrat voted against those "sentiments." The Democrats who voted "nay" in the adoption of Mr. Hoar's amendment were:

Messrs. Bailey, Barnum, Beck, Butler, Cockrell, Coke, Davis of W. Va., Eaton, Garland, Gordon, Grover, Harris, Hereford, Jones of Fla., Lamar, McCree, McPherson, Moxey, Morgan, Ransom, Thurman.

In spite of their vote, Mr. Hoar's amendment was adopted, and the pending amendment as thus amended was lost—the Democrats having previously voted down a proviso offered by Mr. Mitchell, to the following effect:

*Provided further,* That no person who served in the Confederate army during the late war of the rebellion, or held any office, civil or military, in the late Confederacy, shall be entitled to receive any pension under this act.

**A sharp contrast—How Jefferson Davis is regarded by the North—Senator Chandler's scathing reply to these Southern eulogies.**

It was after listening to these eulogies of Jefferson Davis till forbearance ceased to be a virtue, that the lamented Zachariah Chandler rose, pale with long-suppressed wrath, and, with impressive vehemence, uttered the voice of the North as follows:

Mr. President, twenty-two years ago to-morrow, in the old hall of the Senate, now occupied by the Supreme Court of the United States, in company with Mr. Jefferson Davis I stood up and swore before Almighty God that I would support the Constitution of the United States. Mr. Jefferson Davis came from the Cabinet of Franklin Pierce into the Senate of the United States and took the oath with me to be faithful to this Government. During four years I sat in this body with Mr. Jefferson Davis and saw the preparations going on from day to day for the overthrow of this Government. With treason in his heart and perjury upon his lips he took the oath to sustain the Government that he meant to overthrow.

Sir, there was method in that madness. He, in co-operation with other men from his section and in the Cabinet of Mr. Buchanan, made careful preparations for the event that was to follow. Your armies were scattered all over this broad land where they could not be used in an emergency; your fleets were scattered wherever the winds blew and water was found to float them, where they could not be used to put down rebellion; your treasury was depleted until your bonds bearing six per cent., principal and interest payable in coin, were sold for eighty-eight cents on the dollar for current expenses and no buyers. Preparations were carefully made. Your arms were sold under an apparently innocent clause in an Army bill providing that the Secretary of War might, at his discretion, sell such arms as he deemed it for the interest of the Government to sell.

Sir, eighteen years ago last month, I sat in these halls and listened to Jefferson Davis delivering his farewell address, informing us what our constitutional duties to this Government were, and then he left and entered into the rebellion to overthrow the Government that he had sworn to support! I remained here sir, during the whole of that terrible rebellion. I saw our brave soldiers by thousands and hundreds of thousands, aye, I might say millions, pass through the theater of war, and I saw their shattered ranks return; I saw steamboat after steamboat and railroad train after railroad train arrive with the maimed and the wounded; I was with my friend from Rhode Island [Mr. Burnside] when he commanded the army on the Potomac, and saw piles of legs and arms that made humanity shudder; I saw the widow and the orphan in their homes, and heard the weeping and wailing of those who had lost their dearest and their best. Mr. President, I little thought at that time I should live to hear in the Senate of the United States eulogies upon Jefferson Davis, living—a living rebel eulogized on the floor of the Senate of the United States! Sir, I am amazed to hear it; and I can tell the gentlemen on the other side that they little know the spirit of the North when they come here at this day and with bravado on their lips utter eulogies upon a man whom every man, woman, and child in the North believes to have been a double-dyed traitor to his Government. [Applause in the galleries.]

### PART III.

## Testimony of the Representative Press of the South as to the Demon-like Rule of the Bourbons.

**The Negro "passing out" of Politics—He must side with the Democrats or "go to the wall altogether!"**

Says the New Orleans *Picayune* (Democratic):

*The negro is passing out of politics. He can never figure again in that arena as a Republican, for the simple reason that the Republican party has no longer any use for him—or, rather any opportunity to use him. The Southern States are all hopelessly Democratic, and it would be a waste of money sorely needed in more promising quarters to canvass this section in the interest of the Chicago nominees. We understand that it is not the intention of the Republican managers to attempt to organize a campaign in this State, and they have equally good reasons to abandon the struggle in all the other Southern States. If the negro is wise he must begin to see that he has now as little to hope from the Republican party as that party has to expect from him. He will see that in his own section he must side with the dominant party or, politically speaking, go to the wall altogether.*

**White Republicans to be branded as enemies—White Republican candidates "should be saturated with stench!"—1,000 Democratic votes equal to 5,000 Republican votes!—"We have the count!"**

A letter signed "Southern Democrat," in the Memphis *Avalanche*, says:

*While men who dare to avow themselves here as Republicans should be promptly branded as the bitter and malignant enemies of the South. The name of every Northern man who presumes*

*in this community to aspire to office through Republican votes should be saturated with stench. As for the negroes, let them amuse themselves, if they will, by voting the Radical ticket. We have the count. We have a thousand good and true men whose brave ballots will be found equal to those of five thousand vile Radicals.*

**The Democrats control South Carolina, and they intend to retain it at every hazard!**

Says the Barnwell (S. C.) *People*:

The Democrats have obtained control of the State of South Carolina, and they intend to retain it at every hazard, and in spite of the utmost efforts of local enemies and their Northern allies.

**Artillery and Red Shirts the proper source of enthusiasm for Southern elections.**

The Lexington *Advertiser* said:

Rub your red shirts, patch up your artillery, and get a full supply of "enthusiasm" for the campaign this fall. There will be no Federal count at the end of this election.

**The Democratic party not a political organization but a Vigilance Committee.**

Hear the Greenville *Times*. It said in November:

Stripped to the truth, the Democratic party is not a political organization; it is a vigilance committee.

**A warning of blood-shed—The negro's only hope of avoiding it is by a surrender of his political rights—In all such conflicts the negro always the victim.**

The Jackson (Miss.) *Comet*, on October 25, said:

If there is bloodshed on the 8th of next November, let no colored man say he was not warned in time. If you are satisfied with the government stay at home, for if a conflict should occur you know who will be the victims.

**Killing no murder, violation of law no crime, if perpetrated in support of the Solid South—Murder and Lawlessness justified by the law of self-preservation.**

Witness the following utterance in the Charleston *News and Courier*, one of the most respectable of all the Bourbon organs. It says:

Killing is not always murder, and violations of law are not always a crime. There is an earlier law than the statutes—the law of self-preservation. That law was the guide and master in South Carolina in 1876, and it will be appealed to whenever there is any danger of a return to the villainy of negro rule.

**Rally on the Color Line, boys—Negro pretenders must be put down—Step across the platform, boys, and go for them.**

From the Meridan (Miss.) *Mercury*:

Rally on the color line, boys, beyond the platform, every man to his color or colors, and make these negro pretenders to govern this



great county come down, else put 'em down. What do the young men say to the old man's battle cry in this political campaign: "Step across the platform, boys, and go for 'em."

**Down with the negro—Vote him down or knock him down—A white man's party to rule a white man's country.**

From the Westville (Miss.) *News*:

Does not the very thought boil the blood in every vein? Will you still contend that we must not have a white man's party? Away with such false doctrines; we must and will have a white man's party. We have tried policy long enough. We must organize on the color line, disregarding minor considerations. The white man's party is the only salvation for the State. Show the negro his place and make him keep it. If we cannot vote him down, we can knock him down, and the result will be the same. Either the white man or negro will rule this country; they cannot both do it, and it is for the white man to say who the ruler shall be. Let us have a white man's party to rule a white man's country, and do it like white men.

**No appeal from the murderous bulldozer—Bull Run or Chickamauga—The white people must be welded into one compact organization—All personal differences must be settled within the organization.**

From the Columbus (Miss.) *Index*:

The necessities of the State of Mississippi recall this injunction and give emphasis to the parallel—put none but Democrats in office.

We have gained a great victory—Bull Run or Chickamauga. Let us follow it up to the securing of results.

The white people must be welded into one compact organization. All differences of opinion, all personal aspirations must be settled within our own organization, and from its decision there must be no appeal. Otherwise each recurring election produces its disorders.

**Negroes as unreasonable as crocodiles or Kentucky mules—The bloody and violent Mississippi plan the only reasoner for the Blacks.**

From the Newton (Miss.) *Democrat*:

Mr. Potter and ex-Governor Brown, of Hinds, think the negro can be reasoned into Democracy, and they have been thinking so ever since the war; but for our part we would as soon reason with a shoal of crocodiles or a drove of Kentucky mules. And so might they, for all the convictions they have produced in the counties of Hinds and Copiah.

**White Mississippians only shall rule Mississippi—Woe, irretrievable woe, betide Radical tatterdemalions—Hit them, hip and thigh, everywhere and at all times.**

From the Yazoo (Miss.) *Democrat*:

Let unanimity of sentiment pervade the minds of men. Let invincible determination be depicted on every countenance. Send forth from our deliberate assembly of the eighteenth the soul-stirring announcement that Mississippians shall rule Mississippi though the heavens fall. Then will woe, irretrievable woe, betide the radical tatterdemalions. Hit them hip and thigh, everywhere and at all times.

Carry the election peaceably if we can, forcibly if we must.

## PART IV.

### Further testimony as to the lawless and corrupt rule of the Bourbons.

**Bourbonism and Conservatism—Definition of both by a Conservative Mississippi editor—Bourbonism an extreme faction of Democratic Party ruling through lawlessness—through violence, fraud, and crime.**

The following are extracts from the testimony of Mr. Charles E. Wright, the editor of the Vicksburg (Miss.) *Herald*, before the House of Representatives in the case by Lynch vs. Chalmers. He says:

It (the Vicksburg *Herald*) has differed with some of the extreme papers in this State. I have sustained the Democratic administration of Mississippi, the Democratic judges, and every thing else. It is not true that when I returned from Washington, a year ago last spring, the tone of the paper became changed and differed with the Democratic administration of the State. It never has. I differed with the leaders of the party concerning the issue they made in Congress about that time, and said so editorially half a dozen times. It is not true I have since then denounced the leaders of the Democratic party as "machine politicians," or something of that kind. It is not true that I denounced the leaders of the Democratic party as "Bourbons." I regard Mr. Lamar as the leader of the Democratic party in Mississippi, and I know he does not approve those things I issued with. I never made an issue with the leaders of the party. I refer to fraud and violence as things Mr. Lamar does not approve of. I have not taken any new departure. I have opposed them ever since I have been editor of a paper. I was the editor of a paper published in Vicksburg in 1873 or 1874 called *The Vicksburgian*, and of the paper called *The Monitor*, in the following year.

Q. What fraud or violence have you known committed for running for office since March, 1879?

A. The most prominent affair was in Yazoo, in 1879.

Q. What fraud or violence did you know as being committed in Yazoo in 1879?

A. I do not live in Yazoo County, and know nothing of my own personal knowledge. I only know just like I get other information for the *Herald*.

Newspaper men know how to get information generally for the papers.

Q. Do you know of your own knowledge of any fraud or violence committed against anybody running for office?

A. I answer as before, I do not know of my own knowledge.

Again he says:

Q. Please to define what you understand by Bourbonism and Conservatism?

(Objected to by counsel for General Chalmers as irrelevant and not re-examination.)

A. The difference, as I understand it, is this: the Bourbons in this State are an extreme faction of the Democratic party; they are willing to go outside of law and the Democratic plat-

form, and anything else, and resort to violence and fraud for the sake of party success. I think the conservative Democrats are opposed to that, and want to let the elections go as the ballots are cast. That is my view of the difference. I regard Senator Lamar as the leader of the Democratic party in this State and General Chalmers as identified with the extreme men.

**Death to all Damned Rascals—Intimidation and Fraud the rule at all Elections—Ku-klux practices and widespread conspiracy to dominate through Lawlessness and Crime—Affidavit of J. B. Chapline in case of Lynch vs. Chalmers.**

Circuit court, Monroe County, Ark.—J. B. Chapline, plff., vs. T. W. Hooper, deft. In matter of contest of election held in said county for the county and probate judge. Amended complaint.

The plaintiff, by way of amendment to the original complaint filed herein, by leave of the court first had and obtained, states:

I. That defendant, T. W. Hooper, since the filing of the original complaint has received his commission from the gov. of the State as probate and county judge of Monroe County, Arkansas, and has qualified as such judge and has been regularly inducted into said office.

II. Complainant further states that since the filing of the original complaint herein many evil-disposed persons, favoring the course of defendant, have resorted to unlawful and criminal measures for the purpose of intimidating complainant and forcing him to withdraw from this contest and the lawful assertion of his rights. That on the night of the 18th day of September, 1880, a coffin was placed by these evil-disposed persons in complainant's yard and marked thus: "J. B. Chapline, take timely warning. Thus to all damned rascals." That on the night of the 19th of September, 1880, an armed mob of twelve men, with blackened faces or black masks over their faces, surrounded the house of Wm. H. Tugwell, one of the judges of the election in Jackson township, Monroe County, Ark., who was then the lawful custodian of the duplicate tally-sheet and poll-book for that township, and by unlawful force and menace compelled the said Wm. H. Tugwell to surrender and give up to them the said tally-sheet and poll-book; that these unlawful acts have created much fear and alarm in the county of Monroe, and clearly indicate a secret, widespread conspiracy to deprive complainant of his lawful rights in defiance of law.

III. Premises considered, complainant prays that defendant's pretended election to the office of county and probate judge of Monroe County, Arkansas, be declared illegal, null and void; that his commission as such judge be declared null and void; and that it be canceled by decree of this honorable court and for nought held; that complainant be declared the duly elected judge of the county and probate courts of Monroe County, Arkansas, and that a copy of the record in this case be certified to the gov. of the State, to the end that he may commission complainant as such judge, and for all such further relief as the nature of the case may require.

JOHN HALLUM and  
G. W. L. KANAWAH,  
*Att'ys for Plff.*

STATE OF ARKANSAS,  
Monroe County:

J. B. Chapline states on oath that the matters and facts stated in the foregoing amended complaint are true, to the best of his knowledge and belief.

J. B. CHAPLINE.

Subscribed and sworn to before me on this 26th day of September, 1880.

HENRY BATEMAN, J. P.

**A Greenback stump-speaker astounded in Alabama—"The Confederacy still exists—A Solid South will gain control and redress all our wrongs."**

J. H. Randall, a Greenback orator in the recent Alabama campaign, writes to the Washington *National View* August 14, 1880, touching the "spirit of the South," as exhibited in that State. He attended a Democratic meeting at Kizer Hill, and says:

The first one of the speakers, from our standpoint, indicated that he was very ignorant and a fool, or that he thought the people present were all ignorant and fools. \* \* \* To us it was very strange that the people listened to him, but they did and many of them, in comments we overheard, seemed to think him telling the truth, and that he was very wise. In the course of his speech he said: "*The Confederacy still exists, my friends, and Jeff. Davis, the best friend we ever had, is yet our President and devoted to our interests; and if Hancock is elected (and we have no doubt he will be) you will be paid for all the property you have lost through Radical rule; and you must stand by the great Democratic party, for a solid South will now give us entire control of the General Government, and we can redress all our wrongs.*"

Randall thinking this pretty extraordinary doctrine, attempted to reply, when a man in the crowd yelled out: "*We don't want no d—n yankee to come here and talk to us; we had better shut him up.*" Then a brass band from Shubuta, Mississippi, struck up to prevent his being heard!

**Native Mississippians, business men, privately denounce and lament the Violent, Proscriptive, and Intolerant Spirit of the Bourbon "Rule or Ruin" Party—Its practices beyond the pale of all Christian and honorable precedent.**

Hon. Wm. R. Moore, of Tennessee, in a speech in the House of Representatives said:

It is within the bounds of my own personal knowledge that there are business men in Mississippi, native and to the manor born, who vote regularly with the Bourbon party while secretly despising it, and who are led to do so only because the proscriptive and intolerant spirit of that "rule or ruin" party will not recognize the right of opposition, and because also that party teaches its adherents to obstruct in every possible way business transactions with a Republican. One of the oldest and most respectable of that class, socially and financially, has only very recently whispered in my own ear, as if afraid it might be heard outside, that the political practices of that bull-doing party in Mississippi were simply beyond the pale of all Christian and honorable precedent; and it can be easily and philosophically accounted for.

**"Small-pox" should be written over the doors of all Republican Merchants or Business Men—No Toleratation of the "Damn Radicals."**

Mr. Moore also said:

It is a matter of public record that the editor-in-chief of a leading Bourbon newspaper in the



great southwestern Mississippi Valley, an organ of that party in Mississippi, has editorially urged that "small-pox" should be written over the doors "of business men and merchants, and has actually succeeded, by this diabolical policy, in literally breaking up and driving out of the reach of his pernicious influence reputable and respectable gentlemen for no other reason than that they were earnest and conscientious Republicans, and yet in the same paper this editor has emptied gallons of ink in hurgid appeals for new immigrants to come into his section only to receive upon their arrival the same treatment in case they happened to bring with them their opinions and their manhood. If, therefore, the oldest and most conspicuous editor of this proscriptive party in that section has found profit in publishing such views, is it any wonder if the smaller provincial papers, taking their cue from this demoniac leader, shall fulminate from day to day their seditious imitations?

## PART V.

### **Convicted Bourbon ballot-box stuffers in Mississippi lionized by the Bourbon "Beauty and Chivalry"—Fines inflicted by Federal courts reimbursed the criminals by money raised through public entertainments—Proceedings of a public meeting at West Point, Mississippi.**

The Clay County (Miss.) *Leader* of July 27 contains a report of a public meeting held at the court-house in West Point, in that county, on the 24th of the same month, "for the purpose of raising money to relieve certain young men of the county, upon whom fines were unjustly imposed by the Federal court at Oxford, upon the illegal verdict of a partisan jury." The meeting was called to order by Captain B. L. Cromwell, Dr. Townsend was elected chairman, and L. T. Carlisle secretary. The report says:

Captain W. H. Robertson moved that at some future time we should have a glass-ball shooting, proceeds to be devoted to the above-named purpose.

Mr. J. H. Brinker stated that the ladies proposed at some future time to give a concert for the same purpose for which this meeting was called, and moved that a committee of five be appointed as an executive committee to make all arrangements, and as early as possible to confer with the ladies, so as to have the shooting and concert to come off on the same date. Carried.

Messrs. J. H. Brinker, B. L. Cromwell, J. J. Williams, J. A. Taliaferro, and Wiley Bell were appointed by the chair.

**An executive committee—A grand shooting match—A sub-committee to confer with the ladies, &c.**

The same issue of the *Leader* has a report of a meeting of this executive

committee, at which sub-committees were appointed as follows:

Committee on printing, Mr. Wiley Bell, Major Herndon, and L. T. Carlisle.

Committee to select the grounds and make all necessary arrangements for the shooting match, Mr. J. A. Taliaferro, Captain W. H. Robertson, Messrs. A. P. Cottrell, J. H. McCord, Warren Ware, and T. C. Exum.

To confer with the ladies about arranging for concert, &c., Mr. Jep Williams, Mr. A. B. Connell, and Captain Fred Beall.

On motion the chairman was added to the committee.

On rules and regulations for the shoot, Captain B. L. Cromwell, Messrs. George Coleman, and J. D. Franks.

**To arms!—A call for troops—England calling for troops to put down Arabi Bey's rebellion, but Mississippi West Pointers preparing for the grandest glass ball shoot and concert—Proceeds to reimburse fines of Bourbon ballot-box stuffers—A grand gala day—Come everybody.**

We have also before us a one-sheet poster about eighteen by twenty-four inches, which announces in large type, under the head of "call for troops," that "while the English are calling for troops to put down the rebellion of Arabi Bey, the people of West Point are preparing for the grandest glass ball shoot and concert on August 3, 1882, ever gotten up in North Mississippi. *These festivities are for the purpose of paying the fines of three citizens of Clay County who were unjustly CONVICTED IN THE FEDERAL COURT at Oxford of ELECTION FRAUDS.* Come everybody! It will be a grand gala day for all those who may attend." We have also the small bill of particulars, in which this announcement is made:

Proceeds to be appropriated toward reimbursing the young men unjustly fined by the Federal court at Oxford.

**The Gala Day and its Glass Ball Shoot—Brilliant with Bourbon Beauty and Chivalry—Man, thro' business cares and rivalries, may forget his duty to the Ku-Klux patriot, but in the hearts of Bourbon women is built the altar of patriotism upon which the fires of the ballot stuffer will always brightly burn.**

A special correspondent of the *Memphis Appeal*, under date of August 5, writes from West Point the following account of the entertainment thus advertised:

Thursday last was in West Point devoted to patriotic service. Stores were closed and the good people of our town turned out to a glass-ball shoot during the day, and to a concert at White's Hall at night. The proceeds net were applied to the funds collecting for the payment of fines recently imposed on several citizens of our county by the Federal court at Oxford, as referred to in a recent communication.

The glass-ball show was quite a success, and the entertainment at night by the beauty and chivalry of West Point was a brilliant affair, the success of which was mainly due to the efforts of our noble ladies, under the supervision of Mrs. Fred Beall. Man, amid business cares or reckless rivalries, may forget his duty to his country; but woman, surrounded by the sacred influences of home, and cherishing above every other consideration the future safety of her sons and daughters, is ever vigilant. Her heart is the altar of patriotism upon which the fires are always brightly burning.

**Convicted ballot-box stuffers assured of Bourbon sympathies—The Bourbon stuffers eulogized as innocent victims of Federal tyranny—Their names will be ever cherished in the hearts and memories of the Bourbon.**

The convicted parties, who came from the country to attend the entertainment, were received and treated with every mark of attention and respect. At the close of the programme Captain Fred Beall, in a neat and appropriate address, assured these gentlemen that the people of Clay County believed they were innocent of the charge brought against them (violating election laws); that their sympathies were with them, and that the names of O'Connor, Caradine, and Hallum would be cherished in the hearts and memories of our people.

**Object of Lionizing Criminals as Martyrs—Ballot-box stuffing must be sustained—It is the only hope of a solid South.**

**Says the *National Republican* of Washington in commenting on the above:**

These men were convicted by a mixed jury in a United States court of the crime of ballot-box stuffing at an election for Congressmen. There were five convicted, but on two of them a nominal fine of only \$10 was imposed. The three others were fined \$250 each. The object of treating these convicted criminals as martyrs is obvious. It is a necessity in view of the fall election. The stuffing of ballot boxes must be sustained. This can only be done by setting up the resolves of a Bourbon meeting in opposition to the verdict of a jury made up of Democrats and Republicans. Then, under the assertion of believing the convicts innocent, the proceeds of public merry-making are devoted to paying the penalty inflicted by the outraged law. These facts are not only true, but are exultingly published by the papers above named.

**These ballot-box stuffers convicted at Senator Lamar's home—Who are the judges of crime in Mississippi—The courts and juries or its respectability and intelligence who lionize criminals.**

**The *National Republican* adds:**

Will some Republican member of Congress ask Mr. Muldrow, the Bourbon member from the district in which these crimes were committed, when Congress reassembles, whether he approves the conduct of the constituents whose names we have given? Will some Republican Senator then ask Senator Lamar, at whose home these ballot-box stuffers were convicted, and who has been the law professor in the University of Mississippi, located in that very city, whether the respectability and intelligence of Mississippi are those who judge of the guilt or innocence of accused persons by the result of judicial proceedings, in the form of

the verdict of a jury, or those who encourage crime by lionizing criminals, and paying for them the fines which the court sentenced them to pay? The answers to these questions will enable anti-Bourbon members to see more clearly how much weight to give to Bourbon testimony and arguments in contested election cases.

## PART VI.

**Assassination of Col. L. W. R. Blair, a Greenbacker and United States Supervisor at Camden, South Carolina—A Cold-blooded Atrocity—A Brave Old Man Seventy Years Old Murdered by a Bourbon Leader—Previously Mobbed in the presence of Hampton, Kennedy & Co.—Persecuted and Slandered—High Character of the Victim.**

The special correspondent of the *National Republican* at Columbia, South Carolina, under date of July 10, 1882, says;

I invite your attention to a few points in the matter of the killing of Colonel L. W. R. Blair in Camden on July 4. He was entirely unarmed, having nothing but his usual walking-stick, and made no threat or attempt to use even that. He was a brave old man (he was 70 years old), who was never known to commence a quarrel or take advantage of an enemy. No instance can be given in which he ever, during his long life, assaulted or shot any one in a personal quarrel. He did not threaten or attack the man who slew him. The *casus belli* was purely political. The Bourbons were his bitter foes. They had mobbed him in the presence of Hampton, Kennedy & Co. in 1880, when he was the Greenback candidate for governor. They had persistently persecuted and slandered him afterward. His private character being irreproachable, they could not assail it.

**His murderer, Haile, falsely accuses Blair of holding Meetings with Negroes at Night—Blair pronounced him a Liar and refused to retract—The Bourbon coward shot the unarmed old man five times with a Winchester sixteen-shooter—The rifle conveniently concealed in Democratic Auditor's Office—Blair an anti-Bourbon Leader.**

The man who slaughtered him was chairman of a Democratic club, an ex-rebel, Captain Haile. Haile had said, and circulated it, that "Blair held meetings with the negroes at night." This was done to break his influence over his white adherents, and to goad and irritate him. Blair pronounced the man who had said it "a d—d liar." This he would not retract. Haile was the party who should have withdrawn his false utterance and retracted first. Then Blair could and would have withdrawn the offensive epithet, and no man would have done so more readily. Blair made no demand on Haile and no threat against him. I am following the *exparte* Democratic accounts strictly, and you will find them just as I state. Haile demanded a retraction, and shot him to death on his refusal—shot him five times in as many seconds with a Winchester rifle (sixteen-shooter)—a Winchester taken from the Democratic auditor's office, where it was conveniently at hand, ready loaded—from the auditor's office, not being open for business (a legal holiday), but unlocked and Haile had the *entree*. When he stepped into that office and closed the door did Blair follow him? By no means. When he



came out with the murderous weapon in hand, did Blair advance on him or attack him? By no means. Blair was still standing where he left him, in front of the court-house, waiting for the assembling of the people to hold a mass meeting, which had been duly advertised, and where Blair, as the leader of the anti-Bourbons, was to have spoken. Blair had the people of his county organized, and could not be defeated or answered except by Democratic rifle shots.

**Blair's murder indefensible, even before Democratic coroner and jury—No plea of Self-Defense dared—Democratic Sheriff protects the murderer—Haile Quickly Released on bail by Bourbon Judge Kershaw, who declared that "truer man never lived"—Also indorsed by Bourbon Lieut. Gov. Kennedy—Cowardly character of the Murder.**

The Democratic coroner and Democratic jury, with Democratic testimony, still dared not on their oaths say one word of "self-defense" in their verdict. But a Democratic sheriff protects the man slayer until Democratic lawyers provide for his immediate liberation. Who issued the writ of habeas corpus, and on the prisoner's showing alone, ordered his discharge on bail before sundown on the very day of the murder? Major-General (Democrat) Judge Kershaw. Who at once applauded and endorsed Haile as "truer man never lived?" General Lieutenant-Governor Kennedy, whom Blair had posted as "a greater scoundrel" than the editor of the Camden Democratic paper, and whom Blair exposed and opposed. If he "put his hand to his breast" at all it was only the spasmodic action when the first ball plunged through his heart, as the post-mortem developed. The code requires equal weapons, and fair play always demands pistol for pistol, swords of equal length, &c. Using a Winchester 16-shooter against an opponent even armed with a pistol would be in every sense unfair. Yet using a Winchester rifle against an unarmed man and riddling him in a few seconds with five balls, any one of which would have been instantly fatal, is called by the *News and Courier* killing "in self-defense."

**Blair a feeble old man, but Brave and Unyielding in his hatred of Bourbon Tyranny—Could be neither bought nor bulldozed—His murder a Bourbon Necessity—The blood of the Martyrs the seed of the Church.**

Blair was an old man and feeble, although brave and unyielding in his opposition to tyranny. He could not be bought; he could not be bulldozed. The only way to dispose of him was to kill him, and this has been done. Honor to the old man's memory; peace to his ashes. May the time yet come when even in this State the friends of freedom may be enabled to rear a monument to record some of his own immortal declarations in favor of the rights of man. "The blood of the martyrs is the seed of the church."

**The orphan daughter of Blair defends her Murdered Father—Bourbon accounts of Assassination either garble or slur over the facts—Her father had no altercation with his Assassin before leaving home on the day of his Murder—Anticipated no fracas, and wholly unarmed—A feeble old man shot down by a man in the Prime of Life.**

The Charleston *Mercury* of a recent date contains the following:

"If you have tears, prepare to shed them now."

We have been shown a letter from the orphaned daughter of Colonel L. W. R. Blair, dated Camden, S. C., July 5, to an old "comrade in arms" of her father, in which she says:

Sir: I want to give you a few items concerning the murder of my father, Colonel L. W. R. Blair, which the accounts given by the Democratic newspapers will either garble or slur over. He had no altercation with James L. Haile, the murderer, previous to leaving home yesterday morning—anticipated no fracas of any kind. Papa was wholly unarmed, except his pocket-knife, an ordinary one, and his cane, which he ever carried, and was shot down in that condition by a man in the prime of life and health.

**Blair's body seized by his Bourbon Enemies, as also his papers—They refuse to return his papers—Haile, the assassin, a Base Tool in the hands of a strong and unscrupulous party—Blair a U. S. Supervisor—Will his assassin be tried in United States Court—Bourbons boast that Colonels Cash and Blair would not live to see Election Day—Situation of Blair's Daughter, alone with an only Brother seven years old.**

His body was taken in custody by his political enemies, and the papers which papa had on his person were taken by them, and notwithstanding I had begged for them, have not been returned, and will not be, I feel assured, until they are perused and manipulated sufficiently. A letter which papa addressed to James L. Haile and a piece signed "Airo Niles" will probably appear in the *Signal* of this week (for I think they were mailed the evening before his death), and will, I think, show clearly that James L. Haile was but a base tool in the hands of a strong and unscrupulous party. Such is my firm conviction. I think a portion of papa's registration papers were among those taken off his body. Please tell me if, being a United States supervisor, the case will not be tried in a United States court? I understand that a common boast among the Democrats was that Colonel Cash and Colonel Blair would not live to see election day. What are these things significant of? Do excuse the liberty I take in addressing you this, but I know you were a comrade of my father's long syne, as well as recently in the work of reform and independence, and I have no one with me that I can rely on. My only brother is 7 years old.

**Col. E. B. C. Cash denounces the Murder and the Murderer—Col. Blair, the Best, Truest, Gamest, and most Patriotic of Men—Blair, a feeble old man, and unarmed, murdered by a young and powerful man—Blair had always recognized the Code—Why was he not allowed a Fair Fight?**

Col. E. B. C. Cash, of S. C., addressed a letter to Col. Rollin H. Kirk, of this city, from which the following extracts are made: "On the 4th of July Major L. W. R. Blair, the best, the purest, the gamest, the most patriotic man I ever saw, was shot down in the streets of Camden, and from all the reports, public and private, I have no doubt he was murdered on account of his political opinions. He was unarmed, was old and

feeble, while his opponent was a young and powerful man, and could have resented the insult without resort to fire-arms. But that would not have accomplished the purpose. Not only so, Blair has always recognized 'the code,' and he should have been allowed a fair fight."

**Blair's body stripped and mocked by the Bourbon adherents of the Assassin—His gray hair was uncombed—The noble old man, having lost his large estate, cultivated like Cincinnatus a few acres to support his Motherless Children—His bloody body spit upon by the Cowards who Chuckle over his Murder.**

After he was killed his body was stripped and his personal appearance ridiculed through the Bourbon papers. He was charged with being filthy, and

that his gray hair was uncombed. Poor but noble old man! He had lost his large estate, and, like Cincinnatus, cultivated a acres of land to support his motherless children. Perhaps he was not clothed in "purple and fine linen," but is that any reason why his bloody body should be spit upon by the cowards who now chuckle over his murder?

**A Republican form of Government will after the election be Demanded by the People for South Carolina.**

"After the next election a majority of the people of S. C. will make an appeal to Congress and demand a Republican form of government, which is guaranteed each state by the Constitution which the fathers made and I believe Congress will listen to such petition."—*National Republican*, July 17, '82.

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## CHAPTER II

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### Contested Election Cases in House of Representatives at the First Session of the 47th Congress.

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*The right to a free ballot is the right preservative of all rights, and must and shall be maintained in every part of the United States.*—Declaration 5, National Democratic Platform, 1880.

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[Compiled from the Speeches of Members of the House, Reports of House Committee on Elections, and other official documents.]

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#### PART I.

#### **An Exposition of the Constitution and Laws governing cases of Contested Elections before the House of Representatives.**

[Extracts from the Speech of Hon. Geo. M. Robeson, of N. J., in House of Representatives, April 28, 1882.]

#### **Free Government Founded upon the Untrammelled Will of the Majority.**

Free government rests for its foundation on the free expression of the people's will. Elections are the accepted and legal methods through which that will is expressed and presented. The machinery of elections, the regulation of ballots and ballot-boxes, of officers, lists and records, the certifications of

inspectors, commissioners, and of governors, are the safeguards of the free and fair exercise of that will and the *prima facie* evidences of its expression and result. They furnish the prescribed and accepted primary evidences upon which, when uncontroverted, is determined the question whether at the election a majority of the qualified voters have cast their ballots for a qualified candidate. Unless the election is free it is no election, since it lacks its very essence. Unless it is controlled by the majority it does not fulfill the idea of representative government. Unless there are officers who may primarily determine who has received the majority there is no means of deciding in the first instance that vital question. Unless they have the power to judge and to certify we have no record of their decision. Unless this *prima facie* evidence, when controverted, is to be subjected to the great tests of legal judgment and human reason, then there is no use of



higher courts to consider or superior tribunals to decide.

**Constitutional qualifications limiting and defining classes of electors.**

To preserve the purity of election, and to the end that the will of the authorized voter is not swallowed up and defeated by the action of illegal usurpers of his power, qualifications are provided by constitutional provisions to limit and define the classes and the individuals in whom the elective power alone resides. By our Constitution it is provided that—

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

By the fifteenth amendment it is provided that—

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

These are the general qualifications fixed by the Constitution of the United States for the electors of Representatives in Congress. We turn to the State constitution of each State to determine the general qualifications of these electors by finding the general qualifications for electors of the most numerous branch of the State Legislature; and those qualifications under the restriction of the fifteenth amendment make the qualifications of voters for Representatives in Congress, which no law of the State can add to or take away from by direct enactment or indirect provision.

**Constitutional qualifications of Representatives—Constitutional elections—Constitutional conditions necessary to secure lawful right to seat in House.**

Other clauses of the Constitution provide and fix the qualifications of the Representative. The spirit of our government embodied in its general system and the provision of the Constitution which I have just cited unite to fix and declare the governing and essential principle that if a qualified Representative receives at a constitutional election a majority of qualified votes he is entitled to his seat. These are the essential, governing, immovable, unassailable conditions upon which rest all constitutional elections. There is the seat provided by the Constitution; there is the qualified member; there is the majority of the qualified voters; the qualified Representative and the qualified majority give the seat. That is the end to be attained, and we only attain the end of free government

and accomplish the free representation which our Constitution guarantees to the people when we put in the seat of the Representative the qualified man who has received a majority of qualified votes. These are the great legal pillars of the Constitution, the great foundation supports upon which rests the structure of our government. They are thus the great objects to be reached. All else—and I hesitate not to declare it as a legal proposition which cannot be successfully disputed—all else is machinery for the accomplishment of these essential objects; all other provisions, whether State or National, are for the purpose of guaranteeing fair elections, surrounding them with proper safeguards, preserving and recording the evidence, providing for its proper attestation to afford the proper *prima facie* evidence of their fairness and result. The great essential conditions, if I have stated and characterized them properly, cannot be overthrown or swept away by the very means that are provided merely to preserve them. The spirit of the Constitution cannot be lost nor the requirements changed or modified by the legal and technical provisions made to record and illustrate them. Therefore, all the machinery which lies between these great landmarks is merely the machinery of evidence provided for the purpose of ascertaining and applying them and recording and proving the results of their application, and they are in their nature subject to attack and to be overthrown by other evidence. Since they are *prima facie* merely, they satisfy the requirements of the law when undisputed; they fulfill the law when, even though disputed, they are not overthrown. But when they are overthrown, it is our duty to disregard them and enforce the truth as otherwise established. If, in the light of other and better evidence, they are found wrongfully to deprive a member of his seat, the right of the member is not thereby lost, but he has a constitutional right to it notwithstanding, and it is the sworn constitutional duty of every man who composes the court that decides the question to consider and pass upon the evidence, and award the seat according to the result, upon his own judgment.

Let me repeat that proposition. The constitutional requirements are absolute; the qualifications are absolute; the necessity for a majority is absolute; the right of the elected man to his seat is absolute. But all the machinery which intervenes between the qualified candidate, elected by the qualified voters, and the constitutional seat is machinery for evidence only, and is subject to be met and overthrown and destroyed whether it be the result of force, or of fraud, of intricacy, or ignorance.

These are the general principles. Now, how and by whom are they to be applied?

**The House, under the Constitution, the Highest Court having jurisdiction over the Election and Returns and Qualifications of its own Members.**

By the fifth section of the same Constitution it is provided "that each House of Congress shall be the judge of the election and returns and qualifications of its own members." That provision makes us the court for the maintenance and application of these principles. If gentlemen desire it, I readily admit that it makes us a court with the duties and only the powers of a court of largest jurisdiction and last resort. I admit that we are to "judge." But we are a court limited only, as far as we are by express language limited at all, by the word "judge" and the objects to which our judgment is to be directed. Still, we are a court, and though a court, of last resort and of highest powers. A court of highest general powers known to the spirit of the law in the atmosphere which we live is a court of original and natural equity; not a technical court of equity, such as in the progress of commercial transactions business development binds itself to certain formal and technical and fixed rules and modes of evidence and proceeding, but an original court founded upon the broad principles of equity. And these are, says Blackstone, *lex non exacte definit, sed arbitria boni viri permittit*. Not what the law exactly defines, but what the judgment of good men permit. The Constitution creates the court without limit of power except by the use of the word judge and the mention of the subject-matter to be judged of and determined.

By this action it clothed us with every power known to the spirit of our legal system, for the examination and determination of our questions, and left open to us without technical restraint every avenue for the investigation and establishment of truth.

We are a court, then, of high equity, proceeding according to legal processes to investigate truths, the conditions of which are defined and fixed by constitutional law, but untrammelled and unregulated in the order of our processes or the application of the principles by statute or organic law. We are the highest court on these subjects known to our organic law; to us an appeal lies from all other courts who have or assume jurisdiction of them; and for the settlement of them we have all the powers of all courts. In the exercise of these powers we may not make new principles of evidence, for we are to judge according to the logic of human

reason and the light of civilized knowledge, and these have accepted and fixed certain general sanctions of organized investigation which we may not disregard. But as we are left free by our own Constitution, so we are untrammelled by State laws or State machinery in the investigation of truth and in the application to the principles of evidence. We are not to make new principles, because those are a part of the common law established by the centuries of civilization, the fruits of which we enjoy and in the atmosphere of which we live. But we are a law unto ourselves, when it comes for the application of the admitted principles of evidence, when it comes to the last text for the establishment of real truth and the actual carrying out of the requirements of the Constitution, whose creatures we are and whose principles we are organized to execute. I do not mean that it is not safer and better for this House, acting as a court, to ascertain the right and establish it, if possible by means of the ordinary rules for the investigation of truth practiced in the ordinary courts and accepted by the common people of the country. I do not mean to deny that, but I do mean to say that when the truth is apparent or admitted we are not to be debarred from accepting it and establishing it by the intervention of mere technical rules of evidence or by the local decisions of rule-bound and inferior courts. Now, the governing fact of this case is established, as I understand it, by the admitted fact of a majority of 310 qualified votes for John R. Lynch, found in the ballot-boxes and returned by the inspectors.

**Imperative Obligation of Members to give to others their Constitutional Rights and exercise themselves their Constitutional Duties.**

Now, since this is so, I trust my friends will not "stick in the bark" of this investigation, but will permit their view of this case to rise to the height of this great central idea for which the investigation is made, and that they will accept the fact that when the truth is evident or admitted the rules to ascertain it are "functus," and the imperative obligation is upon them to accept it and give to others their constitutional rights and exercise for themselves their constitutional duty.

What is evidence? Evidence is that which convinces the judgment of the court, that which makes truth appear to the tribunal to which it is presented, and when it appears or is admitted to a court which has a constitutional power to do it, that court has not only the power but the duty to disregard conditions which do not affect the substance,



to sweep away technicalities, to break through trammels, to tread down formal rules, to accept the truth offered, and reach the very right of the case, and execute that with our power.

**Constitutional Limit of Power of State over the Election, and Evidence of Election of Representatives.**

As I have said, the qualifications of voters are fixed by reference to State constitutions and defined by State decisions, unless these are clearly wrong, or absurd, or inconsistent with the requirements of the Constitution of the United States, to tend to defeat the very objects of its provisions, or some of the provisions of the laws which the general government has a right to make and has exercised its powers to make.

There is but one law that has been made on this subject by the law-making power of the United States. It is to be found in section 27 of the Revised Statutes:

All votes for Representatives in Congress must be by written or printed ballot; and all votes received or recorded contrary to this section shall be of no effect.

In this case, then, we must appeal to the constitution of Mississippi to see who are qualified voters. We must also see that their votes when cast were by written or printed ballot, for the provision which was made to preserve the principle of voting by ballot, namely, the right of secret ballot if the voter chooses to claim and to exercise it. State laws may define the qualifications of voters; that power is given to the States under the Constitution. They may fix, where the laws of the United States have not fixed, "the time, place, and manner of holding elections." They may of course provide their machinery, their officers, and their modes of certifying and attestation, which shall be *prima facie* evidence, but they cannot impose either upon the voter any other qualification or upon this House any other than the constitutional limit of jurisdiction or any State rule of evidence or construction. No State can say to this House, either in words or in effect, "We fix certificates of attestation; we make them governing and final, and you, Representatives of the United States, in the exercise of your duty under the Constitution, must obey the limits which we fix upon the modes and manner and effect of proof." I say to learned gentlemen, fix your own rules of proof; establish your own attestation; make out your primary case; undisputed it will stand, but if brought to the test of controversy we will try it by those tests of investigation and decision which seem to us to be properly ap-

plicable to govern the case and elicit the actual truth.

Who gave to the State of Mississippi or any other State the right to limit the committees of this House in their investigation, or this House in its judgments by their technical rules of evidence, or by the weight which the decision even of their highest courts give to it? If the qualifications of the electors and the qualifications of the elected and the actual majority are the great immovable and unassailable conditions—if all else is machinery, mere mode for preserving, certifying, attesting, and evidencing the results—then I say that, sitting as a court, in its highest sense, with all the powers of all courts, fixing our own rules for the application of legal principles of evidence, we have the right at all times and at all points to meet the suggestions of these *prima facie* certificates, their defects, their absence, or their falsity, by other proof, and by its force, if effective for that purpose, to correct, suppress, or overthrow them.

**PART II.**

**Lynch vs. Chalmers.**

**The Famous "Shoestring District"—The "Black District of Mississippi"—Five Hundred Miles Long and Fifty Miles Wide—Infamous Bourbon Gerryman-dering.**

This district, the sixth Congressional district of Mississippi, and familiarly called the "Shoestring District," was between 400 and 500 miles long, and on an average about 40 miles wide. It was comprised of the counties of Adams, Bolivar, Claiborne, Coahoma, Issaquena, Jefferson, Quitman, Sharkey, Tunica, Warren, Washington, and Wilkinson—a long string of counties lying along the Mississippi river, and extending the whole length of the State. No one could notice its extraordinary formation without exclaiming "why is this thus?"

As a part of the history of this country it is well known that that district was so made because it contained a large black population, exceeding by many thousands the white population. Each county in the district has a majority of blacks over whites. It was confessedly so made because it eliminated from the rest of the districts of the State a large black vote, and permitted them to be felt without the influence of that black vote. It was confessedly made that the district might remain, as it has been familiarly termed, "the black district of Mississippi."

At the last election, held in November, 1880, JAMES ROLAND CHALMERS (Demo-

erat) and JOHN LYNCH (colored Republican) were candidates for a seat in the 47th Congress.

**Mr. Lynch in Intelligence, Character, Honesty of purpose, and Mental Caliber the foremost man of his Race.**

Hon. Casey Young, an ex-member of the House from Tennessee, in an argument before the House Committee of Elections in behalf of Mr. Chalmers, described Mr. Lynch in the following language :

I will say for the contestant that his presentation of his own case before this committee on yesterday was so forcible, and admirable that if the argument had then closed without opportunity for reply on our side he would have gained an easy victory. I will say further for Mr. Lynch, from what I know of him and what I have heard, that in point of intelligence, character, honesty of purpose, and mental caliber he is, without a doubt, the foremost man of his race in the country.

"In point of intelligence, character, honesty of purpose, and mental caliber, he is, without a doubt, the foremost man of his race in this country." Then why refuse him his seat? The only answer was, and be it spoken to the eternal shame of Democracy, he is a man of color!

**Chalmers "counted in" by a Fraudulent, Corrupt, and Lawless Manipulation of the Election Machinery.**

The contestant (Lynch) claimed the seat occupied by the contestee (Chalmers) on the ground, stated in the briefest manner possible, and stripped of all legal verbiage, that a clear majority of legal votes which were cast at the election held on November 2, 1880, in the sixth district of Mississippi, were really and honestly cast for him; but that by fraudulent, corrupt, and lawless manipulation of the election machinery; by the throwing out by the county commissioners of election, unjustly and illegally, of the votes thrown for him at a great number of polls; by the rejection of more than 2,000 votes in one county alone, which were honestly given to him; because of dashes, mere punctuation marks used by the printers in making up the ballots which were voted in good faith by his supporters, and by other fraudulent devices set out in particular in his notice of contest, a *seeming* majority was secured by Mr. Chalmers in defiance of justice and public law, in mockery of the hackneyed words "a free ballot and a fair count."

The "official" returns show the result to be: for J. R. Chalmers, 9,171 votes; and for J. R. Lynch, 5,393 votes, which leaves a majority for Mr. Chalmers of 3,779.

**The Election Machinery of Mississippi.**

The first provision of the Mississippi law with reference to the election is:

The Governor of the State appoints three commissioners of election, who shall be of different political parties. The machinery of the election is put in the hands of the governor through this power to appoint. The commissioners, in turn, appoint three inspectors for each precinct. Then there are provisions as to how the electors may elect, in case these appointees do not serve, &c. These inspectors receive from the clerk, who is the registrar in the first instance, a copy of the registration-list (called the poll-book) for the precincts in which the inspectors are appointed. These inspectors, with this poll-book, open the election. They are required by law to keep, during the deposit of the ballots, a poll-list. They are also required to make out a tally-sheet when they count the votes, and to return the ballots, the ballot-boxes, the poll-books, the poll-lists, and the tally-sheets to the commissioners of election on a day subsequent to the election.

**Bourbon Frauds in Warren County and their Character.**

In the county of Warren 2,029 votes cast for Mr. Lynch and 20 votes cast for Mr. Chalmers were rejected by the county commissioners, to whom the inspectors who held the election in the various precincts of that county (and who had passed on them as valid) had made their certified returns. They were thrown out by the county commissioners on the ground that the ballots cast for Mr. Lynch were in violation of section 137 of the code of Mississippi, which declares that—

The ballots shall be without any *mark* or *device* by which one ticket may be known or distinguished from another, excepting the words at the head of the ticket.

In the Rodney precinct of Jefferson County 247 votes were cast for Mr. Lynch and 95 votes for Mr. Chalmers, a clear majority for Mr. Lynch of 152 votes, and the ballot-box and its contents, after the close of the election were, seized and destroyed. Who did this high-handed outrage the testimony does not show. It is sufficient to say that no one has yet even hinted that it was done for the *benefit* of Mr. Lynch. The votes cast for Mr. Lynch at Rodney were of the same character as those thrown out in the county of Warren. The aggregate vote thus lost to Mr. Lynch over that in the same way lost to Mr. Chalmers in Warren County and in Rodney precinct of Jefferson County is 2,161. Subtract this number from Mr. Chalmers' certified majority of 3,779, and it would cut down his majority to 1,618 votes.



**Issaquena County—Neglect or Ignorance or Fraud of Bourbon Election Managers Legal Ground in Bourbon Judgment for Disfranchisement of Republicans.**

In the county of Issaquena the commissioners of the county "threw out, and rejected, and refused to make any return of 785 legal votes for which Lynch had been duly *polled by the voters*, and duly *received, counted, and returned* by the inspectors who held the election." Chalmers denied that the commissioners "threw out and rejected 735 votes which had been duly *revised*, (a new word,) counted, and returned by the inspectors of election." Yet he admits that four boxes of the county—to wit, Skipworth, Ben Lomond, Ingomar, and Hay's Landing—were *not* counted by the commissioners "because the inspectors of election did not make out and return any certified statement of the election as *required by law*."

Now, in the official record of the testimony in the case, we find that the commissioners state that they rejected these polls because they "did not find any separate *lists of the names of the voters* in the box, as required by section 139 of the Revised Code of the State of Mississippi." That section provides that—

The statement of the result of the election at each precinct shall be certified and signed by the inspectors and the clerks, and the poll-book, tally-list, *list of voters*, ballot-boxes, and ballots shall all be delivered to the commissioners of election.

The certificates of this record also contains copies of the inspectors of these four precincts, with a copy of the tally-sheet of each, which show that 785 votes were cast for Mr. Lynch and 115 for Mr. Chalmers, which were *not* counted because the *lists of the voters' names* were not sent up with the poll-books, tally-lists, ballot-boxes, and ballots.

Thus it is indisputably shown that in Issaquena County Mr. Lynch was deprived of 785 votes, and deducting the 115 votes cast for Mr. Chalmers (which had to be rejected in order to reject Mr. Lynch's still larger vote) Mr. Lynch suffered a net loss of 670 in that county—legal, properly cast, properly counted, as the very ballots in the ballot-boxes before these Democratic county commissioners showed, but rejected by them because the *Democratic inspectors* failed to send up by accident, or *by design*, a list of the *voters' names*, as the statute directed them to do.

And Mr. Chalmers modestly demanded that Mr. Lynch should suffer for the mistakes (?) or willful frauds of his, Mr. Chalmers', friends. And this in a matter where the statute is clearly directory merely, and not mandatory.

**Fraudulent Suppression of Republican Majority in Adams County.**

In the county of Adams, it appears from the record of testimony that in this county the poll for the precinct of Dead Man's Bend was thrown out by the county commissioners. The reason given is, as sworn to by W. N. Whitehurst, a Democratic county commissioner, as follows:

The only reason I recollect for rejecting the Dead Man's Bend precinct was because no list of voters was sent up.

In this he is corroborated by Thomas R. Quateman, another Democratic county commissioner, who swears:

The Dead Man's Bend precinct box was rejected because of *informality*; the inspectors did not comply with the law and furnished no list of the voters.

William J. Henderson, the Republican commissioner, swears to the same facts and shows, as do the two United States supervisors, one a Democrat and the other a Republican, that the vote at Dead Man's Bend actually cast, received, and counted by the officers who held the election was 85 votes for Lynch and 15 for Chalmers. This gave a clear majority of 70 votes to Mr. Lynch.

In like manner the vote of Palestine precinct was thrown out because 35 more votes or ballots were in the box than the number of names on the "list" of voters signed by the clerk. Here the list was set up, but the tally-sheet showed 39 votes in excess over the list of voters. It showed that 270 votes were given to Lynch and 17 to Chalmers.

Lenox Scott, the United States supervisor, who was present, swears that 231 votes were cast for Mr. Lynch. Lynch's supporters voted open tickets. He saw that many *openly voted*! He also swears that 17 votes were cast for Mr. Chalmers.

Now, it was to the interest of Mr. Chalmers that the *entire* vote should be thrown out. He would lose 17 votes, but his adversary would lose 231 votes. Any scheme to throw out the entire vote was greatly to his advantage, just as the throwing out of 2,929 votes in Warren county to only 20 of his votes was to his advantage. And the Palestine poll was thrown out! A fraud was perpetrated. Mr. Chalmers' friends had the election machinery in their own hands. These are the simple, undeniable facts. Who perpetrated the fraud in this instance by placing the 35 fraudulent votes in the box the testimony does not absolutely disclose. But it must satisfy any mind that it worked to the advantage of Mr. Chalmers, and the testimony is clear, with nothing contradicting it, that Mr. Chalmers got 17 votes at Palestine poll, while Mr. Lynch got at least

231 votes—a clear majority of 214 votes, which added to the 70 majority at Dead Man's Bend makes a clear majority, thrown out by the commissioners on technical grounds, of 284 votes in Adams County over those thrown out which were cast for Mr. Chalmers.

As to the box at Kingston precinct we have the following state of facts:

*First.* The only evidence in support of the contestee is the return of the sworn officers. On the other hand, we have the evidence of five witnesses whose uncontradicted testimony establishes first, that this box before the count was completed was twice taken some distance from the place where the voting was going on; that the aperture into which the ballots were put was not sealed. The law of Mississippi requires that this aperture shall be sealed during any recess or adjournment. That is one fact.

*Secondly.* These witnesses testify that there were from three hundred and fifty to three hundred and sixty pronounced Republicans at that precinct.

*Thirdly.* One of these witnesses testifies that at that poll on that day he tallied one hundred and sixty Republican voters whose tickets he saw on his private tally-list, and that as the rest of them came up and voted they said, "Give me a Lynch ticket," and put it in. Now it is objected that this is hearsay evidence. But in the Vallandigham and other cases it was settled that what a man says at the time he votes should be held to be competent evidence as the confession of a party interested.

Thus the proof is, first, that there were 350 or 360 Republicans in that precinct; secondly, that they voted that day; thirdly, that 160 of them voted open tickets and the rest said "Lynch" when they came up and presented their ticket. Yet we have this surprising result—that only 159 votes are returned there for Mr. Lynch, and the balance for Mr. Chalmers.

#### **Bourbon Frauds in Bolivar County.**

In Bolivar County the commissioners threw out the vote of Australia, Glencoe, and Bolivar precincts. They gave the reasons as follows:

Australia, 30 Democratic and 192 Republican votes, *because* the returns were not certified to by the inspectors or the clerks.

Bolivar precinct, 45 Democratic and 311 Republican votes, *because* there was no certified returns from the inspectors and clerks.

We have rejected the Glencoe precinct, 27 Democratic, 233 Republican votes, *because* the vote was counted out in party by all the inspectors and clerks, and then discontinued until next day, when the count was finished by one inspector and one clerk, and a very imperfect tally-sheet and return sent in by those two not certified to.

Thus it will be seen that 103 Democratic votes and 786 Republican votes

were thrown out by the county commissioners; and this is *corroborated* by the certified statement of O. Davis, chief United States supervisor. He certifies that the supervisors' returns showed that the vote in these precincts were: Australia, 30 votes for Chalmers and 192 for Lynch; Bolivar, no return for Chalmers, 311 for Lynch; Glencoe, 27 votes for Chalmers, 331 for Lynch. This exactly agrees with the statement of the county commissioners, save in Bolivar no return is made for Chalmers' vote, which Mr. Lynch concedes was 45; and in Glencoe the county commissioners certify that there were 233 Republican votes, while the supervisor certifies that Lynch, the Republican candidate for Congress, only got 231 of the 233 Republican votes.

It thus clearly appears that by the throwing out of these three precincts in Bolivar County Mr. Lynch lost over the votes for Chalmers thrown out 632 votes. Let it be observed, there is no pretense that these votes were not *legally cast* by the electors and legally placed in the box by the inspectors who held the election, and legally and properly sent up to the county commissioners in the ballot-boxes.

#### **The Bourbons Fraudulently Suppress the Vote of Washington County.**

Now, passing to Washington County, we find in the record of testimony a tabular vote of said county attested by the county commissioners, by which it appears that against the name of Lake Washington precinct are the words: "Rejected from canvass on account of illegal returns;" and against Refuge precinct are the words "Rejected from canvass on account of the returns not being *signed* by the inspectors of elections." Against Stoneville precinct are the words: "Rejected from canvass on account of *no statement* of election being returned by inspectors of election." \* \* \*

On the record of testimony appears the certified statement of the two United States supervisors—one a Republican, the other a Democrat. Their statement shows that at Lake Washington Mr. Lynch received 112 votes, against 229 votes for Mr. Chalmers. This is corroborated by the certified statement of Mr. J. G. Marshall, the circuit clerk, who gives the vote as 112 for Lynch and 239 for Chalmers.

In this precinct it appears that Mr. Chalmers loses by the throwing out of the vote 117 votes more than Mr. Lynch. This would seem to break the rule that the rejection of entire ballot-boxes was to the injury of Mr. Lynch, but with this precinct was thrown out the vote in the same county of Refuge and Stoneville precincts. As to Refuge precinct, the



two United States supervisors—one a Republican and one a Democrat, certify that the vote stood: John R. Lynch 99, and James R. Chalmers 67, giving Mr. Lynch a majority of 32. And as to Stoneville precinct, John Jones, the United States supervisor, certifies that Mr. Lynch received 315 votes, and Mr. Chalmers 60 votes; he *swears*, when called upon as a witness, that Mr. Lynch received 315 votes and Mr. Chalmers 60 votes. This shows Mr. Lynch got a majority at Stoneville of 289 votes, and adding his majority of 32 at Refuge would make an aggregate majority of 321 votes, as against the majority of 117 of Mr. Chalmers at Lake Washington. And this would show a net loss of 204 votes in the rejection of the three precincts of Lake Washington, Refuge, and Stoneville, which were rejected at the same time by the same board of commissioners. It shows clearly that where a wrong was done to Mr. Chalmers a double wrong was done to Mr. Lynch.

**Coahoma County—Disfranchisement of its Republican Citizens by Bourbon Frauds.**

All the polls were thrown out in Coahoma County by the county commissioners save Friar's Point, namely: Clarksdale, Sunflower, Jonestown, Dublin, and Magnolia. *Why* they were thrown out the county commissioners do not certify. But we have the certified statement, under seal, of the three inspectors who held the election at Clarksdale. They certify that James R. Chalmers received 117 votes and John R. Lynch 307; a clear loss to Lynch of 190 votes.

A certified statement, signed by all the inspectors and clerks, shows that at Sunflower Mr. Chalmers received 77 votes and Mr. Lynch 32; a clear loss to Mr. Chalmers of 45 votes.

The inspectors and clerks at Dublin precinct certify that Mr. Chalmers received 63 votes and Mr. Lynch 70 votes; a loss to Mr. Lynch of 7 votes.

The certificate of W. W. Shelby, one of the inspectors, states that at Magnolia precinct J. R. Chalmers received 23 votes and John R. Lynch 109 votes; clear loss to Mr. Lynch of 86.

And this will give in the precincts of Clarksdale, Sunflower, Dublin, and Magnolia, of Coahoma County, where the actual vote is *certified* to and proved by the very men, *the inspectors*, who held the election, a clear majority of 238 in Coahoma County in favor of Mr. Lynch, but thrown out arbitrarily by the county commissioners, *who do not even deign to give a reason why they did so*, but do certify that they give a "correct report of the votes cast in the election held in Coahoma County."

**Aggregates of Lynch's Majorities Suppressed upon Puerile Technical Grounds.**

Now, add together these votes—these clear majorities for Mr. Lynch at precincts thrown out by the county commissioners where there is in the entire record no pretense or claim, or *decent* insinuations even, that the election was not fairly held, so far as Mr. Lynch is concerned, the ballots legally cast, properly placed in the box, *honestly counted*, and the will of the electors fairly, honestly, and clearly expressed, and we have—

In Warren County, Lynch's rejected majority.....	2,009
In Rodney precinct of Jefferson County, Lynch's rejected majority.....	152
In Issaquena County, Lynch's rejected majority.....	670
In Adams County, Lynch's rejected majority.....	284
In Bolivar County, Lynch's rejected majority.....	632
In Washington County, Lynch's rejected majority.....	204
In Coahoma County, Lynch's rejected majority.....	238
Making a total of.....	4,189

as against Mr. Chalmers' majority on the face of the returns of 3,779, thus giving a clear, unquestioned, undoubted, undeniable majority of 410 votes for Mr. Lynch, as certified to by the *very men—Democrats almost every one of them*—who held the election at the various precincts which we have passed in review, who received the ballots from the hands of the voters and placed them in the ballot-boxes, and who sent those ballot-boxes containing those very ballots up to the county commissioners, and with them the very tally-sheets; but they were rejected by those wise (?) county commissioners for the reasons—

First. Because in Warren County and in Rodney precinct of Jefferson County, printers' dashes were used as punctuation marks on the *face* of the tickets which the electors voted in good faith, and concerning which Mr. Charles Winkley, a practical printer, *who was called as a witness by Mr. Chalmers himself, swears* that "the dashes used are such as any printer of taste would either *put in or leave out* according as he wanted to lengthen or shorten the ticket to suit the paper or otherwise." That is what Mr. Chalmers' own witness solemnly swears; or,

Second. Because the inspectors who held the election, by accident (?) or design, failed to send up a list of the voters' names from their polls to the county commissioners, or failed properly, in



a technical sense, to sign the returns; or,

Third. As in the case of Coahoma County, because the county commissioners, leaving us in most blissful ignorance, do not even pretend to offer an excuse *why* they threw out the returns of Clarksdale, Sunflower, Jonestown, Dublin, and Magnolia precincts—only just they did so! In the record of this case there is not a hint why they so acted, but in the record of the case of Buchanan *vs.* Manning, from the same State of Mississippi, on page 6, the matter is fully explained.

**Relative White and Colored Population in Mississippi and the Shoestring District—Further Indubitable Proofs of Infamous Bourbon Frauds.**

According to the official census reports of 1880 the State of Mississippi contained a white population of 479,398, and a colored population of 650,291, making an excess of colored people in Mississippi of 170,893. The population of the counties composing the sixth district of the State alphabetically stated are as follows, namely:

Counties.	White.	Colored.
Adams.....	4,796	17,853
Bolivar.....	2,594	15,958
Claiborne.....	3,910	12,353
Coahoma.....	2,412	11,156
Issaquena.....	825	9,178
Jefferson.....	4,260	13,054
Quitman.....	592	815
Sharkey.....	1,405	4,801
Tunica.....	1,256	7,205
Warren.....	8,717	22,521
Washington.....	3,478	21,889
Wilkinson.....	3,570	14,245
Total.....	37,916	151,528

Making an excess of colored people in this district of 113,612, nine-tenths of whom would have voted the Republican ticket if left in the free, voluntary, and undisturbed possession of their rights.

Now, let us examine into the official vote upon which Chalmers claimed his right to the contested seat. The official records are as follows, showing, first, the inspectors' returns to the State commissioners; second, the number of votes rejected by the commissioners; and third, the commissioners' final returns to the Secretary of State, as per appended tabulated statement, namely:

Counties.	Inspectors' returns to commissioners.		Votes rejected by the commissioners.		Commissioners' returns to the Secretary of State.	
	Lynch	Chalmers	Lynch.	Chalmers	Lynch.	Chalmers
Adams.....	1,214	1,419	316	32	898	1,387
Bolivar.....	1,715	403	736	102	979	301
Coahoma.....	1,235	594	883	369	352	225
Claiborne.....	283	1,061	.....	.....	288	1,061
Issaquena.....	1,118	173	785	114	333	59
Jefferson.....	333	1,043	247	92	136	951
Quitman.....	83	153	.....	.....	83	153
Sharkey.....	175	484	.....	.....	175	484
Tunica.....	506	239	.....	.....	506	239
Warren.....	2,056	1,034	2,029	20	571	1,014
Washington.....	1,298	1,963	356	356	772	1,607
Wilkinson.....	814	1,961	.....	.....	814	1,691
Total.....	10,915	10,257	5,522	1,085	5,393	9,172

The summing up of the above figures shows that the votes of the district returned by the inspectors of elections to the State commissioners were: For Lynch, 10,915; for Chalmers, 10,257; leaving an original majority for Lynch of 658. The votes rejected by the commissioners were: For Lynch, 5,522; for Chalmers, 1,085; making in favor of Chalmers, 4,437. The votes returned by the commissioners to the Secretary of State were: For Lynch, 5,393; for Chalmers, 9,172; showing a majority for Chalmers of 3,779, notwithstanding the fact that the inspectors had already, as before shown, returned a majority for Lynch of 658.

What then is the inevitable conclusion?

When we are officially shown that the twelve counties composing the sixth Congressional district of Mississippi contain only 37,916 white population, including women and children, and a colored population of 151,528, or four times as many colored as white people, is it reasonable to believe that Chalmers received a lawful majority of votes in that district? Suppose, by way of illustration, that we accept the rule which allows one voter for every five persons and apply it to the case in question; by that rule the white vote of the district would amount in round numbers to 7,600, and the colored vote in round numbers to 30,350, leaving a colored majority in the district of 22,750.

But if the rule of one to five be objected to as in the interest of the colored people, let us take the rule of one to six, which, if partial to either white or colored, is certainly in favor of the

former. Then, while the white vote would be about 6,300, the colored vote would be 25,250, or more than four to one. Now suppose, further, that one-tenth of the colored voters would, if left unintimidated, vote the Democratic ticket and that one-tenth of the whites would vote the Republican ticket. This would give an aggregate Republican vote of 23,357 and an aggregate Democratic vote of 8,255, or, in other words, a fair Republican majority in the district under any reasonable circumstances of not less than 17,000, or about three to one.

**Conspiracy, Intimidation, and Ballot-Box stuffing—Heavy Bourbon Frauds by Ballot-Box Stuffing at other Polls.**

But there are charges of ballot-box stuffing at other polls; of false returns by the inspectors; of intimidation, and of conspiracy to stifle the voice of the electors.

At the Washington precinct, in Adams County, the county commissioners certify that James R. Chalmers received 264 votes and John R. Lynch received 98 votes.

Charles W. Minor, the United States supervisor, certifies that Lynch receive about 300 votes, and Chalmers not more than 57. The reason for this ambiguity he gives when on oath as a witness.

The law of Mississippi (Code, section 136) requires the count to be made so soon as the polls are closed. "When the election shall be closed the inspectors shall *publicly* open the box and number the ballots," &c.

Mr. Minor shows that when this poll was closed, at 6 p. m., the inspectors opened the polls and counted *three ballots!* The inspectors then adjourned the count until next morning, placed the box in the upper room of a private house, pretended to lock the door, and left it. During the night a light was seen in that room, and the next morning the count was completed with the result certified to. Minor swears that about 362 votes were cast; that about 200 voters present and waiting to vote had not voted when the polls closed; that there were about 600 registered voters in that district, of whom only about 80 were white men.

The Democratic challengers asked voters a great many questions, some of which I remember. Voters were asked where they lived, whose place they lived on, where they were staying, when they had registered, where they had registered at, and so on.

At Pine Ridge precinct, in Adams County, the returns give Lynch 138 and Chalmers 141, total 279. Alexander Johnson, the United States supervisor, certifies that Lynch received 229 votes

and Chalmers 50. He shows that when the polls closed at 6 p. m. the election inspectors refused to "publicly open the box" and count the vote; but against his wishes and protest the box was taken by Mr. E. B. Foster, one of the inspectors, to his private residence and kept all night, and *the next morning* the count was made.

Webster Bowyer, one of the inspectors, testifies that the Republicans tried to vote *open tickets*—clearly their right if they so wished to do—but "*the inspectors would not receive them in that way.*" Why should they not? It was the voter's clear right to vote an open ticket. But if all Republicans did so, bystander witnesses could swear from observation how the vote stood. Forbidding the voting of an open ticket, against law, reason, and common sense, was the complement and necessary counterpart of the unlawful refusal to obey the law and "publicly open the box" and count the vote when the poll was closed.

In Robb and Stone precincts of Washington County we have a repetition of the programme. The county commissioners give Lynch 176 votes and Chalmers 295.

T. B. Cooper, the United States supervisor, certifies that he "actually saw and counted 297 straight Republican tickets put in the box, and was satisfied that there were a great many more." Sworn as a witness, he testifies:

There were 471 ballots cast at that precinct, but there was not a fair count. In the first place the colored people, or, in other words, the Republicans *voted an open ticket* solidly Republican from bottom to top, and I, to my personal knowledge, counted 297 out of that kind of votes which went into the box. I stood right there and saw them go in.

At this precinct the inspectors refused at the close of the poll to "publicly open the box" and proceed with the count. They waited four hours, then opened the box and counted out 100 ballots, and then a Democratic inspector, in violation of law, took the box to his home, and the next day at 10 a. m. the box was again publicly opened, and Mr. Chalmers got 295, and Lynch only 176 votes.

The witness further swears:

I voted a ticket that had Garfield for President and Arthur for Vice President printed at the top, and General Chalmers' name for Congress at the bottom, and I, in the presence of a great many persons scratched Mr. Chalmers' name off and inserted the name of John R. Lynch.

And the witness adds: "If that ticket has ever been counted I never saw it, and I examined every ticket that was counted."

Much of the evidence which proves the charge of conspiracy, of intimidation, and ballot-box stuffing, not neces-



sary, happily, in this case to show that Mr. Lynch and not Mr. Chalmers was honestly elected, are the copies of the reports of the United States supervisors of election. And here it is proper to inquire whether such evidence can be looked to. And this must depend on the question whether the county supervisors of election provided for in sections 2011 and 2012 of the Revised Statutes of the United States are covered by section 2018.

**Undisputed Facts in the case—Indecent Haste of the Mississippi Courts in their decisions upon the issues involved—House not bound by the decisions.**

But it was seriously contended that the House was concluded in this case, because the supreme court of Mississippi had decided the question; that under the former rulings of the House and under the general rule that in construing the local statutes of a State, or the constitution of a State, the Federal court and the House will follow the construction given by the State tribunals. Before discussing that legal proposition, let us give a plain, unvarnished history of the case, relied upon as it appears in the record.

On the 2d of November, 1880, the election now being contested was held. On the 16th of November, 1880, Mr. Lynch filed his bill in the chancery court of Mississippi, asking that the secretary of state be enjoined from making a certificate to the governor whereby the contestee in this case should receive his *prima facie* title. That was denied on the 17th of November. On the 23d day of November, 1880 Mr. Lynch served upon the contestee a copy of his notice of contest. On the 9th of December, 1880—nineteen or twenty days afterward—the district attorney of Tunica County, one of the counties in the upper portion of the "Shoestring district," filed his petition in the circuit court of that county, asking that the commissioners of election be ordered to reassemble and reject 506 ballots cast for Mr. Lynch in this case.

Why? Because he said they had the same marks on them which are complained of in this contest. When that decision was rendered we cannot ascertain. It has no date; but that it was rendered soon after being commenced both by the circuit and supreme courts of Mississippi is matter of history, because it was before the House at the assembling of Congress.

**Proceedings and decisions of courts characteristic Bourbon frauds, and null and void.**

There were certain jurisdictional

questions necessary in that question which must appear before the court had jurisdiction. The court remarked, as it well might, that this House was the proper tribunal to decide the question of those ballots. The court said:

The House of Representatives of the Congress of the United States is the judge of the elections, returns, and qualifications of its own members, and the courts of the State have nothing to do with it whatever.

Why, then, did they proceed to construe the law. Because, as the eminent judge said, it had been suggested from the bar that some officers had been arrested, and the public was interested, and so the court would construe the law on the request of the attorney-general.

It was done without argument. There was not a brief filed on either side. There was no oral argument on either side, all of which is admitted and in the record. Lynch was no party to the record, and could not be heard. No man opposed to the theory as set out in the bill and admitted by the demurrer was heard. The court itself said it had no jurisdiction of the very question at issue.

What was the real question in issue? That on the 2d of November an election was held in that county for member of Congress, and that 506 marked ballots were deposited and counted for Lynch, in violation of law. They asked the court to compel the county commissioners to reassemble and reject those votes. The court, in its opinion, stated three questions.

The first question the court had to decide was by the section of the Mississippi law upon which it is claimed this action is predicated. Are there proper parties here to give us jurisdiction. If there were no proper parties that was the end of the case.

It is a solecism for a court to say it would decide so and so, and this is the opinion of the court if it had a proper defendant, but the court finds the defendant is dead, and therefore the court does not do any thing but give an opinion of what the law would be if the defendant was not dead. That is what the court did here. It found these commissioners had no legal existence; that as officers they were *functi officio*, and the relator could not proceed against them at all, and the court therefore said, we find the law to be so and so, but we have no proper parties here; and that was the end of the case.

The jurisdictional question decided the whole case, and whatever the judges said may be treated as *obiter dictum*, as the opinion of learned gentlemen. It is not the opinion of the court of Mississippi except as to that one point.



**Mississippi Bourbon courts overturn and reverse their own previous rulings and antagonize the universal doctrines of elections throughout the United States.**

The next question the supreme court of the State attempted to decide was that these dashes upon the ballots are such marks as to make them obnoxious to the law. An enunciation of such a doctrine coming from a source less high than the supreme court of Mississippi would be considered as of little weight. The universal doctrine throughout the United States is opposed to this decision. The court cites no single authority in harmony with this opinion, it overturns and reverses the rule declared in 47 Mississippi, where the court says that all election laws as to the electors are to be construed liberally, and as to the officers and their duties under them mandatory. The Supreme Court in the Oglesby case reverses the rule and says in effect that the law made for the protection of the voter shall be construed strictly, and if he does not comply with every thing which the letter of the law requires his ballot shall be void.

That is a reversal of all the doctrines of elections known in the jurisprudence of this country. The furthest that a construction of this law can go should be to make the voter responsible for the intent in all cases where there is not a palpable violation of the law. That is as far as the courts go in civil actions.

Now, it is competent for the legislature to say that any distinguishing mark which is distinctly such shall be prohibited and the ballots containing it rejected. But everybody knows what that means. Such laws are an inhibition against spread-eagles, flags, portraits, differently tinted paper, and the like, whereby the weak, unlettered, and ignorant may be detected in voting and the secrecy of the ballot destroyed. For the purpose of preventing that and of making the ballot secret, thereby protecting the weak, these sort of laws are enacted.

It is on that principle alone that they can be maintained as reasonable regulations. But the supreme court of Mississippi held that this law must be construed strictly against the voter; and though a ticket contains what is confess-

edly punctuation marks, yet they are of themselves such marks or devices as make them obnoxious to the law. That decision stands alone in the jurisprudence of this country, and is subversive of every principle of right, honesty, justice, and fair dealing in elections.

**Lynch in printing his tickets consulted with Democratic Printers who had taken legal advice—All he wanted was a ticket within the law—They agreed to print and defend his ticket against successful assaults.**

Mr. Lynch, fearing something of this in the future, and knowing what he had to cope with, was particularly anxious that his ticket should be a lawful ticket, strongly within the law, and nothing else. He did not trust his own party friends, but went to Democrats who were personal friends, though political enemies, to printers who had taken legal advice, and he said to them, "All I want is a ticket within that law." They talked over the law together. He was assured by Mr. Wright, of the Vicksburg *Herald*, and other gentlemen who printed his tickets, that they would print them within that law and would defend them from successful assaults. They said that they would print a ticket which was not obnoxious to the law; said it not only then but when they were put on the stand afterward; and the ticket was put into their hands and they were asked, "Do you consider that a marked ticket?" And they answered, "No." They testified as to the art and guild of printing. They testified, "We say that is a plain ticket without marks." And when Mr. Chalmers called Mr. Charles Winkley, he testified in effect the same thing; that they were plain tickets. When these experts were called all of them testified that they were plain tickets and were without distinguishing marks. That testimony was not contradicted.

**Chalmers' and Lynch's tickets alike obnoxious to the charge of violating the law—Mississippi Court rejects Lynch's, but accepts Chalmers' ticket.**

But the Supreme Court of Mississippi threw out more than 2,000 of these votes given for Mr. Lynch:

# Republican National Ticket.

*For President,*

JAMES A. GARFIELD.

—o—

*For Vice President,*

CHESTER A. ARTHUR.

—

*For electors for President and Vice President.*

HON. WILLIAM R. SPEARS,

HON. R. W. FLOURNOY,

DR. J. M. BYNUM,

HON. J. T. SETTLE,

CAPT. M. K. MISTER, JR.,

DR. R. H. MONTGOMERY,

JUDGE R. H. CUNY,

HON. CHARLES W. CLARKE.

—o—

*For Member of the House of Representatives from the 6th Congressional District*

JOHN R. LYNCH.

because they say that the printers' dashes after the heading and between the names are distinguishing marks within the meaning of the statute; but they have not thrown out any of these ballots, though the vote of a whole county was cast for Mr. Chalmers in this form:

Democratic—Conservative

# TICKET!

*For President.*

Winfield Scott Hancock.

*For Vice-President,*

William H. English.

For Electors for President and Vice-President,

F. G. BARRY,

C. P. NEILSON,

C. B. MITCHELL,

THOMAS SPIGHT,

WILLIAM PRICE,

WILLIAM H. LUSE,

ROBERT N. MILLER,

JOSEPH HIRSH.

For member of the House of Representatives from the 6th Congressional District,

JAMES R. CHALMERS.

Look at the heading in capitals and the "screaming" exclamation point after the word "TICKET." Which has the most distinguishing mark on it? Nevertheless the Supreme Court of Mississippi held that the Lynch ticket was a false ticket. It did not hold that the Chalmers ticket was a false ticket, but



the application of their principle would make it so.

**Decisions of State Courts have no Binding effect upon the House in Elections of its own Members.**

Suppose the Legislature of Mississippi had passed a law that no ballot should be legal unless it had printed on its face a disavowal of the Government of the United States, would not that have been a thing for the House to disregard? Suppose it had required to have printed on the face of the ballots some ridiculous or absurd or useless or unessential qualifications to the vote. These commissioners might have thrown out ballots not so printed. This court might have declared that the statute was binding upon them and sustained them in that act, but would that have any binding force upon the House and deprive an honest voter of his right and an elected Representative of his seat? It would have been a decision of the supreme court of Mississippi, but it would not have been binding upon the House. Why? Because it does not strike at the only essential question which their State and its courts are authorized to control, namely, the qualifications of the lawful elector.

**Powers of the State over the Ballot and the Qualification of Voters—Unjust and Partisan Decision of the Mississippi Bourbon Courts.**

Two questions only remain, which may be objects of regulation by the State. First, the general regulations to preserve the secrecy of the ballot. If these be in their nature essential, which is not admitted, it cannot be denied that this particular object has been contemplated and provided for by the United States itself, and that to that extent and for that purpose section 27 of the Revised Statutes is exclusive. But, second, the State may fix the qualifications of voters. It has done so, and if the action of the supreme court of the State has any foundation at all it must be put on the ground that this ballot is a test of and fixes the qualifications of voters.

**Bourbon Election Commissioners Plead Guilty in Court.**

After the election of 1880, certain gentlemen were indicted for various election frauds in the United States court for the northern district of Mississippi. The county commissioners of the County of Coahoma, were *M. B. Collins, W. W. Matthews, and Joseph E. Monroe*. In the record of the case of *Buchanan vs. Manning* appears this terse but most suggestive record:

No. 1765. United States vs. M. B. Collins, Warner Matthews, Joseph E. Monroe, commissioners of election for Coahoma County.

*Charge.*—Failing to return vote of the county, returning the vote of one precinct as the entire vote of the county.

Plea of guilty by each defendant.

When charged with their malfeasance in open court these pure patriots plead guilty with wonderful alacrity. And we are asked to shut our eyes and accept as correct the statements of their open, gross, palpable, and *self-confessed* frauds.

**House Seats Mr. Lynch—Yeas and Nays.**

The SPEAKER. The question now recurs on the second resolution reported by the majority of the Committee on Elections. The Clerk will read the resolution.

The Clerk read as follows:

*Resolved*, That John R. Lynch was elected, and is entitled to his seat in the Forty-seventh Congress from the Sixth district of Mississippi.

Mr. Atherton. Upon that resolution I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 125, nays 83, not voting 83; as follows:

YEAS 125.—Aldrich, Anderson, Barr, Bayne, Bedford, Bingham, Bowman, Brewer, Briggs, Browne, Buck, Burrows (Julius C.), Butterworth, Calkins, Camp, Candler, Cannon, Carpenter, Caswell, Chace, Cullen, Cutts, Darrell, Davis (George R.), Dawes, Deering, DeMotte, Dezenod, Dingley, Dunnell, Dwight, Ellis, Errett, Farwell (Sewell S.), Fisher, Ford, Godshalk, Grout, Guenther, Hall, Hammond (John), Harmer, Harris (Benj. W.), Hazletine, Haskell, Hawk, Hazleton, Heilman, Hepburn, Hill, Horr, Hubbs, Humphrey, Jacobs, Jadwin, Jones (George W.), Jones (Phineas), Jorgensen, Joyce, Kasson, Kelley, Lacey, Lewis, Lindsey, Lord, Mason, McClure, McCoid, McKinley, Miles, Miller, Moore, Morey, Neale, Norcross, O'Neill, Orth, Pacheco, Page, Parker, Paul, Payson, Peele, Pierce, Petibone, Pound, Prescott, Ranney, Ray, Reed, Rice (Theron M.), Rice (William W.), Rich, Richardson (D. P.), Ritchie, Robeson, Robinson (George D.), Robinson (James S.), Russell, Scranton, Shallenberger, Sherwin, Skinner, Smith (Dietrich C.), Spaulding, Spooner, Steele, Stone, Strait, Taylor, Thompson (Wm. G.), Townsend, (Amos), Tyler, Updegraff (J. T.), Updegraff (Thomas), Urner, Valentine, Van Aernam, Van Horn, Walker, Ward, Watson, Webber, White, Williams (Chas. G.)

NAYS 83.—Atherton, Atkins, Barber, Belmont, Blanchard, Bland, Blount, Buchanan, Cabel, Caldwell, Carlisle, Cassidy, Chapman, Clardy, Clark, Clements, Cobb, Colerick, Converse, Cook, Cox (Samuel S.), Cox (William R.), Culbertson, Davidson, Davis (Lowndes H.), Dibble, Dowd, Evans, Finley, Forney, Garrison, Gunter, Hammond (N. J.), Hardenburgh, Hardy, Herbert, Herndon, Hewitt (G. W.), Holman, House, Kenna, King, Klotz, Laid, Latham, Manning, Matson, McLane, McMullin, Muls, Money, Morrison, Mosgrove, Moulton, Muldrow, Mutchler, Oates, Phister, Randall, Reagan, Robinson (Wm. E.), Ross, Seales, Shackelford, Shelley, Singletm (Jas. W.), Singleton (Otho R.), Speer, Springer, Stockslager, Thompson (P. B.), Townsend (R. W.), Tucker, Turner (Henry G.), Turner (Oscar), Upson, Vance, Warner, Wellborn, Whitthorne, Williams (Thomas), Willis, Wise (Geo. D.)

NOT VOTING 83.—Aiken, Armfield, Beach, Beltzhoover, Berry, Black, Blackburn, Bliss, Bragg, Brumm, Buckner, Burrows (Jos. H.), Campbell, Chalmers, Cornell, Covington, Crapo, Cravens, Crowley, Curtin, Deuster, Dobbrell, Dugro, Dunn, Ermentrout, Farwell (Chas. B.), Flower, Frost, Fulkerson, Geddes, George, Gibson, Harris (Henry S.), Hatch, Henderson,



*Hewitt (Abram S.), Hiscock, Hoblitzell, Hoge, Hooker, Houk, Hubbell, Hutchins, Jones (Jas. K.), Ketcham, Kno't, Leedom, Lefevre, Marsh, Martin, McCook, McKenzie, Morse, Murch, Nolan, Phelps, Rice (John B.), Richardson (John S.), Robertson, Rosecrans, Ryan, Seville, Shultz, Simonton, Smith (A. Her), Smith (J. Hyatt), Sparks, Stephens, Tabbot, Thomas, Tillman, Van Voorhis, Wadsworth, Wail, Washburne, West, Wheeler, Willets, Wilson, Wise (Morgan K), Wood (Benjamin), Wood (Walter A.), Young.*

So the resolution was adopted.

## PART II.

### **Reed's Amendment to the Rules of the House—Disgraceful Filibustering and Revolutionary Expedients and Proceedings of the Democratic Leaders of the House to defeat all investigation into the facts or merits of the Contested Election Cases.**

**Filibustering and Revolutionary Expedients of Democratic Leaders to Defeat all investigation into the Merits of the Contested Election Cases—Debate Involved a Damaging Exposure of the vile Election Agencies by which a Solid South is maintained.**

On April 6, Mr. Calkins, of Ind., from the Committee on Elections, reported to the House the case of *Lynch vs. Chalmers*, but every effort of the Republican majority to bring the House to a speedy decision of the case was systematically resisted by the Democratic minority through every form of dilatory motion, every device of filibustering known to parliamentary law, and that amid violent and most disgraceful scenes of disorder. The Democratic leaders, and most conspicuously ex-Speaker Randall, Jo. Blackburn, and Kenna of W. Va., rejected all offers of orderly debate, in the investigation of the facts or merits of the case preliminary to a final decision. Days and weeks were thus consumed. The Democratic leaders wanted no debate—no discussion of the facts embraced in the case. Those they labored to suppress, to conceal from the country, because they involved a damaging exposure of the villainous election agencies by which a "Solid South" is maintained. They relied, for the support of their members usurping seats in the House, wholly upon petty technical pleas, puerile legal quibbles, and upon revolutionary expedients for delay.

On April 6 the case was reported to the House, and not till April 20 was it decided by the seating of Mr. Lynch.

**Ex-Speaker Randall, Jo. Blackburn & Co. lead the Democratic Revolutionists—Blackburn's Ruse in the form of Resolutions referring the Mackey vs. O'Connor case to a Special Committee with instructions to inquire into Pretended Forgeries of certain evidence.**

The Republican majority at once attempted to push the case of *Mackey vs. O'Connor*. It had been reported to the House on April 10, but at every step a decision, even a hearing of the case, was resisted by Democratic filibustering, defeating all legislation. On May 26, Mr. Blackburn, of Ky., "after conference with gentlemen of deserved prominence," and as a means of "unhinging the deadlock" which Democratic filibustering had created, proposed the following:

*Resolved*, That a special committee of five members of the House of Representatives be appointed, who shall inquire into the authenticity and integrity of all affidavits, returns, and evidence of whatever character produced in the case of *Mackey vs. O'Connor*, and inquire into all alterations, destruction, loss, or mutilations of the original notes of the same, or of any transcript of such notes; and when, where, or by whom such alterations, destructions, loss, or mutilations were made or caused to be made.

*Resolved*, That said committee shall have authority to visit such places and compel the production of such persons and papers as may be necessary to carry out the purpose of their appointment, and may sit during the sessions of the House.

Its consideration was objected to. Filibustering was instantly resumed by the Democratic leaders amid the most disgraceful disorder.

**Mr. Moore's (of Tennessee) Parliamentary Inquiry—Shall the ex-Confederate Leaders in the House, the Beneficiaries of the Unexampled Generosity of the Nation, be Allowed to Block the Wheels of Legislation?**

Mr. Moore, of Tennessee, submitted the following parliamentary inquiry:

Mr. MOORE, [reading.] I would respectfully inquire whether the minority of this House, most of whom were lately in rebellion against a Government whose unexampled generosity has enabled them, notwithstanding, to again enjoy every privilege vouchsafed to the most loyal of the land—

Mr. TUCKER. That is not a parliamentary inquiry.

Many MEMBERS. Order! Order!

Mr. MOORE (continuing to read amid great confusion and calls for order)—have now the right to block the wheels of legislation because men of their party are occupying contested seats whose claims the majority desire to investigate?

The wildest disorder ensued, excited chiefly by ex-Speaker Randall in his abuse of Mr. Moore of Tennessee. The ex-Speaker made himself conspicuous by his violent championship of the right of the ex-rebels to defeat all legislation

in their support of Confederate usurpers to seats in the House. Questions of order rapidly followed one another.

**Mr. Belford (of Colorado) denounces the Democratic Leaders as Revolutionists, who by their Disgraceful Tactics Damage the Public Interests by Defeating Legislation.**

Amid the confusion Mr. Belford, of Colorado, rose. The scene which ensued is thus reported in the Congressional Record:

MR. BELFORD. I make a point of order that these Democratic revolutionists will not vote, and they should not be allowed to talk. [Laughter and applause on the Democratic side.]

The SPEAKER. The Chair is ready to announce the result of his opinion upon the question of order when the House shall be in order.

MR. BELFORD. I desire to be heard in support of my point of order. I want to discuss it. [Cries of "Order!" "Order!"] I say these gentlemen are not here. They have refused to vote. [Cries of "Louder!" and "Order!"] They will not vote, and they cannot be heard upon this floor. They sit there like a set of mules with their haunches on the breech-strap, wagging their ears instead of answering to their names. [Laughter and loud cries of "Order!" and "Louder!"] I say they are revolutionists, and the majority of the House should ignore them as revolutionists.

This is not filibustering, but revolution. Filibustering is indulged in to secure discussion. You refuse all discussion. Filibustering is indulged in to secure the right to offer amendments; you desire to offer none. Filibustering is indulged in to secure the presence of a majority. When that majority is here you will not allow the proceedings of the House to go forward. Therefore you are revolutionists, demanding rights to which no minority is entitled.

**Mr. Calkins's (of Indiana) Resolutions in response to Blackburn's Resolutions—The Committee on Elections had already exhausted inquiry into charge of Pretended Forgery of Testimony in the case—Full and Free Discussion in open House needed to arrive at Merits or Facts in the Case.**

On May 27, Mr. Calkins, of Indiana, in response to Mr. Blackburn's proposition of the previous day, offered the following:

A proposition having been submitted to the House by Mr. Blackburn, of Kentucky, on behalf of the minority, the majority submit the following:

Whereas we are entirely satisfied that the allegations made by Mr. Samuel Dibble as to forgery and falsified evidence have been fully, fairly, and exhaustively considered by the Committee on Elections, and arguments thereon have been fully heard; and

Whereas the cause now comes up for consideration in the House, and there has been no discussion in the House thereon, and as the House cannot vote intelligently with no guide except the mere allegations on one side on any proposition to refer to a new committee a question which has already been considered by the appropriate committee, but must have the benefit of full and free discussion in order to enable the House to decide the question understandingly:

Therefore, we submit the following proposition:

*Resolved, That the House immediately proceed to the consideration of the Mackey-Dibble case, and after six hours' discussion the House shall vote upon the question of recommitment by yea-and-nay vote; and if the House shall decide this in the negative, it shall thereupon continue to consider the case until it be finished, without dilatory motions.*

Its consideration was objected to by ex-Speaker Randall as unsatisfactory.

**Mr. Reed, of Maine, moves Amendment to House Rules—The Majority shall Rule—Filibustering and Revolution to the Rear—Resolutions adopted.**

On the same day (May 27) Mr. Reed, of Maine, from the Committee on Rules, moved the following:

The Committee on Rules report the following amendment to the rules, and recommend its passage:

"Amend paragraph 8 of Rule XVI so as to read as follows: 'Pending a motion to suspend the rules, or on any question of consideration which may arise on a case involving the constitutional right to a seat, and pending the motion for the previous question, or after it shall have been ordered on any such case, the Speaker may entertain one motion to adjourn; but after the result thereon is announced he shall not entertain any other motion till the vote is taken on the pending question; and pending the consideration of such case only a motion to adjourn or to take a recess (but not both in succession) shall be in order, and such motions shall not be repeated without further intervening consideration of the case for at least one hour.'"

Under the decision of Speaker Keifer it was, after much delay and many disorderly scenes, pushed (on May 28) to a vote and adopted:

YEAS—Aldrich, Anderson, Barr, Bayne, Belford, Bingham, Bowman, Brewer, Briggs, Browne, Brumm, Buck, Burrows, Julius C.; Burrows, Joseph H.; Butterworth, Calkins, Camp, Campbell, Candler, Cannon, Carpenter, Caswell, Chace, Cornell, Crapo, Crowley, Cullen, Cutts, Darrell, Davis, George R.; Davis, Deering, De Motte, Dezendorf, Dingley, Dunnell, Dwight, Errett, Farwell, Charles B.; Farwell, Sewell S.; Fisher, Ford, George, Godshalk, Grout, Guenther, Hall, Hammond, John; Harner, Harris, Benjamin W.; Haseltine, Haskell, Hawk, Hazelton, Heilman, Heuderson, Hepburn, Hill, Hiscock, Horner, Hubbell, Hubbs, Humphrey, Jacobs, Jadin, Jones, George W.; Jones, Phineas; Jorgensen, Joyce, Kasson, Kelley, Ketcham, Lacey, Lewis, Lord, Lynch, Marsh, Mason, McClure, McCoid, McCook, McKinley, Miles, Miller, Moore, Morey, Neal, Norcross, O'Neill, Orth, Pacheco, Page, Parker, Paul, Payson, Peelle, Peirce, Pettibone, Pount, Prescott, Ranney, Ray, Reed, Rice, John B.; Rice, Rice, Theron M.; William W.; Rich, Richardson, D. P.; Robeson, Robinson, George D.; Robinson, James S.; Russell, Ryan, Scranton, Shallenberger, Sherwin, Shultz, Skinner, Smith, A. Herr; Smith, Dietrich C.; Smith, J. Hyatt; Spaulding, Spooner, Steele, Stone, Strait, Taylor, Thomas, Thompson, William G.; Townsend, Amos; Tyler, Updegraff, J. T.; Updegraff, Thomas; Urner, Van Aernam, Van Horn, Van Voorhis, Wadsworth, Wait, Walker, Ward, Washburn, Watson, Webber, West, White, Williams, Charles G.; Willits, Wood, Walter A.—150.

NAYS—Blount, Hardenbergh.—2.

NOT VOTING—Aiken, Armfield, Atherton, Atkins, Barbour, Beach, Belmont, Beltzhoover, Berry, Black, Blackburn, Blanchard, Bland, Bliss, Bragg, Buchanan, Buckner, Cabell, Caldwell, Cartis, Cassidy,



Chapman, Clardy, Clark, Cements, Cobb, Colerick, Converse, Cook, Cox, Samuel S.; Cox, William R.; Covington, Cravens, Culberson, Curtin, Davidson, Davis, Lowndes H.; Deuster, Dibble, Dibrell, Dowd, Dugro, Dunn, Ellis, Ermentrout, Evins, Finley, Flower, Forney, Frost, Fulkerson, Garrison, Geddes, Gibson, Gunter, Hammond, N. J.; Hardy, Harris, Henry S., Hatch, Herbert, Herndon, Hewitt, Abram S.; Hewitt, G. W.; Hoblitzell, Hoge, Holman, Hooker, House, Hutchins, Jones, James K.; Kenna, King, Klotz, Knott, Ladd, Latham, Leedom, Le Fevre, Lindsey, Manning, Martin, Matson, McKenzie, McLane, McMillin, Mills, Money, Morrison, Morse, Mosgrove, Moulton, Muldrow, Murch, Mutchler, Nolan, Oates, Phelps, Phister, Randall, Reagan, Richardson, John S.; Ritchie, Robertson, Robinson, William E.; Rosecrans, Ross, Scales, Seoville, Shackelford, Shelley, Simonton, Singleton, James W.; Singleton, Otho R.; Sparks, Speer, Springer, Stephens, Stockslager, Talbot, Thompson, P. B.; Tullman, Townshend, R. W.; Tucker, Turner, Henry G.; Turner, Oscar; Upson, Valentine, Vance, Warner, Wellborn, Wheeler, Whitthorne, Williams, Thomas; Willis, Wilson, Wise, George D.; Wise, Morgan R.; Wood, Benjamin; Young.—139.

All voting aye were Republicans but Mr. Jones of Texas; the two nays were Democrats, and all not voting but present in the House except three (Messrs. Lindsey, Ritchie, and Young who were not present) being Democrats.

**Sunset Cox's resolutions of Protest—Lying story of pretended forgeries—Denounces the Republican resolution to have a full and free Discussion of the facts in open House and before the country as unjustifiable, arbitrary and revolutionary.**

Whereupon Mr. S. S. Cox of N. Y., submitted the following paper:

Whereas the minority of this House have heretofore, under the rules of the House, successfully resisted the efforts of the majority to consider the case of Mackey *vs.* O'Connor, because a proper hearing has not been granted to the contestee by the Committee on Elections, as to the allegations of forgery and fraud in the evidence submitted by the contestant; and

Whereas the minority have offered to proceed to the consideration of the case as soon as said allegations have been duly investigated; and

Whereas the majority, in order to prevent and avoid such an investigation, have proceeded to change the rules, in a manner not provided for in the rules by which alone they can or ought to be changed; and

Whereas the Speaker has made a ruling which justifies a proceeding unknown to the principles of constitutional and parliamentary law and subversive of the rights of the minority: Therefore,

The undersigned, representatives of the people, hereby protest against the proceedings of the majority and the rulings of the Speaker, as unjustifiable, arbitrary and revolutionary, and expressly designed to deprive the minority of that protection which has been established as one of the great muniments of the representative system, by the patient and patriotic labors of the advocates of parliamentary privilege and civil liberty.

(Signed) Abram S. Hewitt, Daniel Ermentrout, J. Fred. C. Talbot, Morgan R. Wise, L. C. Latham, Miles Ross, Henry S. Harris, H. A. Herbert, G. W. Hewitt, R. P. Bland, Wm. Mutchler, John S. Barbour, A. A. Hardenbergh, Benton McMillin, Geo. W. Ladd, S. M. Stockslager, W. G. Colerick, James K. Jones, Chas. B. Simonton, W. R. Morrison, J. G. Carlisle, Albert S. Willis, W. H. Hatch, J. Phelps, P. Henry Dugro, Wm. R. Cox, Jas. W. Singleton,

E. Jno. Ellis, R. Graham Frost, Van H. Manning, Geo. D. Wise, A. M. Scales, Jno. F. House, Phil. B. Thompson, jr., Jno. B. Clark, jr., Olinath Wellborn, Robt. M. McLane, Jno. E. Kenna, Jonathan Seoville, John H. Evins, G. D. Tillman, J. S. Richardson, D. Wyatt Aiken, Perry B. Inant, C. P. Perry, N. C. Blanchard, Thos. Williams, H. D. Money, Lewis Beach, Robt. Klotz, Geo. T. Garrison, Oscar Turner, John H. Reagan, Sam. J. Randall, S. S. Cox, Jo. C. S. Blackburn, Jordan E. Cravens, H. G. Turner, Gibson Atherton, Feter S. Hoblitzell, Jos. Wheeler, Wm. S. Holman, J. R. Tucker, W. C. Whitthorne, Ben. Le Fevre, J. A. McKenzie, Wm. A. J. Sparks, Wm. C. Oates, C. M. Shelley, R. L. Gibson, Geo. C. Cabell, Geo. W. Cassidy, E. C. Phister, W. S. Rosecrans, James Mosgrove, J. Floyd King, A. M. Bliss, J. J. Finley, J. Procter Knott, Jno. W. Cadwell, Wm. M. Springer, R. H. M. Davidson, H. L. Muldrow, Geo. L. Converse, J. D. C. Atkins, S. W. Moulton, Geo. W. Geddes, G. H. Oury, Martin L. Clardy, M. E. Post, R. F. Armfield, Clement Dowd, E. W. Robertson, R. Warner, A. G. Chapman, Hugh Buchanan, B. Wilson, T. M. Gunter, Philip Cook, Robt. B. Vance, J. C. Clements, Martin Maginnis, Geo. Ansley, E. L. Martin.

The paper contains no single word of truth, as the following pages in the exposition of the Mackey *vs.* O'Connor case show, nor did Mr. Cox or any of its signers believe it does; it was only offered as a part of the programme of fraud by which the Democratic leaders labored to maintain the Confederate usurpers in their seats.

**Ex-Speaker Randall's resolutions—The arch-filibuster and revolutionist in support of Confederate usurpers to seats in the House reinforces Cox's with similar resolutions—Charges of Forgery and Fraud in all the Election cases a part of the Democratic programme.**

And ex-Speaker Randall offered the following:

*Resolved.* That the report in the case pending be recommitted to the Committee on Elections with instructions to inquire into the authenticity and integrity of all depositions, returns, and evidence of whatever character produced in the case of Mackey *vs.* O'Connor, and inquire into all alterations, destruction, loss, or mutilations of the original notes of the same, or of any transcript of such notes; and when, where, or by whom such alterations, destructions, loss, or mutilations were made or caused to be made.

*Resolved.* That said committee shall have authority to visit such places and compel the production of such persons and papers as may be necessary to carry out the purpose of their appointment, and may sit during the sessions of the House.

These resolutions and protest were simply offered in pursuance of the Democratic programme in the contested election cases. In all of them the utterly baseless charges of forgery and fraud were to be urged by the Democracy, and all inquiry into the charges were to be resisted and if possible defeated by filibustering and revolution.

**The majority nevertheless resolves to proceed with the Mackey *vs.* O'Connor case in open House.**

But the House on May 29, by a vote of



years 150, nays 1 (not voting 140—all Democrats), determined to proceed to the consideration of the case of Mackey vs. O'Connor, contestants for a seat in the House from the Second Congressional district of South Carolina.

### PART III.

#### Mackey vs. O'Connor.

##### History of the Case.

This case arose out of a contest from the second Congressional district of South Carolina (comprising the counties of Charleston, Clarendon, and Orangeburg), and was referred in the House to the sub-committee of the Committee on Elections, composed of Judge WAITE of Connecticut, Judge RITCHIE, of Ohio, MILLER, of Pennsylvania, MOULTON, of Illinois, and DAVIS, of Missouri. The parties were E. W. M. Mackey, contestant, and M. P. O'Connor, contestee. At the general election held the 2d day of November, 1880, these two parties were voted for, and the State board of canvassers of the State of South Carolina, acting upon the returns made to them by the county canvassers, declared Mr. O'Connor elected, and the certificate of election was accordingly issued to him. Mr. Mackey at once commenced a contest for the seat in the House, and the parties in due time proceeded to take the testimony.

##### Election Machinery of South Carolina Law.

By virtue of the laws of the State, the governor, prior to each general election, appoints three commissioners of elections for each county; these appoint, for their respective counties, three managers for each election poll; these managers conduct the election, count the ballots and make return to the commissioners of elections, who on the following Tuesday organize as a board of county canvassers, and canvass and state the votes. From their statement the State canvassers declare what persons have been elected.

This is, in short, the recognized State machinery of elections.

By virtue of the statutes of the United States the circuit courts appoint a commissioner to be chief supervisor of elections of the judicial district, to whom the law gives ample powers of supervision to guard and scrutinize the proceeding of the election. And for the purpose of protection of elections, when Representatives and Delegates in Congress are chosen a judge of the United States court has authority, upon proper application, to appoint and commission for each precinct two resident citizens,

of different political parties, as supervisors to guard and scrutinize the procedure of the voting and the canvassing of the votes, and make a full report to the chief supervisor in the premises.

##### The Conspiracy and its execution.

The proofs in the case cannot fail to convince any unprejudiced mind that the general procedure in carrying on the election was, on the part of the Democrats, the result of preparation, plotting, and conspiracy. The disregard of law and right evinced a desperate determination, and the care, ingenuity, and variety of the methods used establish the fact that those who plotted and those who performed knew that they were in a minority.

The premature opening of the polls; the refusal to allow to the supervisors an inspection of the boxes; the unusual places at which some polls were held; the inconvenient and uncommon elevation at which boxes were universally placed; the suspiciously large apertures made in the boxes for receiving the ballots; the working into the boxes of a few check-back imitation tickets, to furnish a basis of false representation: the creation and general use of tissue ballots; the surcharging of the poll lists with names of men not voting to fit ballots never voted; the painstaking searching out of Republican ballots honestly voted in withdrawing from the boxes to conform the number of ballots to the poll list and avoid the excess caused by stuffing; the rejection of boxes, returns, and votes upon petty and unfounded pretexts; the scheming to rob communities of their votes by unfounded allegations of intimidation; the burglary of the box; the stealing of returns and votes and the substitution of votes never polled; the circular of Democratic State executive committee, seven days before election, directing as to the withdrawing of excess ballots and to destroy unseen; the appointing by the Democratic county commissioners of both managers for every poll in the three counties from members of the Democratic party, and the spiteful hatred shown before, at, and after the election toward United States marshals and supervisors, conclusively prove the existence of a conspiracy, involving a whole party, to control the results of the election at all hazards—a conspiracy cunning in its methods and unscrupulous and relentless in their execution.

##### Mr. Dibble's Protests.

Four different protests—(the first, on January 24, 1882; the second, on February 7, 1882; the third, on February 21, 1882; and the fourth, on May 15, 1882)—were filed by Mr. Dibble with the Committee on Elections, against the evi-

dence offered by Mr. Mackey, Mr. Dibble alleging that it was fraudulent, or forged, and against the action asked for by Mr. Mackey, all of which, after able argument on both sides, were exhaustively considered, first, by a sub-committee, to which they were referred, and afterwards, by the full committee, and decided in the light of the testimony and undisputed facts against Mr. Dibble, the sitting member.

#### **How Mr. Dibble obtained a Certificate.**

After the testimony in chief on either side had been completed Mr. O'Connor, on April 26, 1881, died, and on the 23d of May, 1881, the governor of South Carolina, assuming that a vacancy was caused in the representation of the State by Mr. O'Connor's death, ordered a special election to fill the same. At that special election Mr. Dibble, the sitting member, was voted for and returned elected, receiving but 7,344 votes in a district that on November 2, 1880, Mr. O'Connor claimed gave him 17,569 votes. The Republicans of the district, claiming that Mr. Mackey, and not Mr. O'Connor, had been elected November 2, 1880, and that the death of Mr. O'Connor had created no vacancy, refrained from voting at said special election.

#### **The Alleged Forgery of Evidence—Charge Unfounded—The Fulllest and Most Complete Hearing given to Contestee and Counsel, both by the Sub and Full Committee—Exhaustive Arguments in the Case.**

The Democracy pretended in the House that the committee never considered this question of alleged forgery. The case was argued at length on March 6, before the sub-committee by counsel, for Mr. Dibble and Mr. Mackey relative to the alleged alterations and perversions of the record, and an adjournment was had until March 13. In the meantime the majority members of the sub-committee with great care, examined not only the *ex parte* affidavits submitted by Mr. Dibble and Mr. Mackey, but also the testimony in the printed record which was alleged to be altered, in the light of the arguments of counsel on both sides, printed and oral; and on March 13, after a full argument by the several members of the sub-committee, at a meeting called expressly for that purpose, they decided to overrule the motion of Mr. Dibble to strike out from the record all the depositions heretofore taken by Mr. Mackey; and Mr. Dibble was further ordered forthwith to file his brief, the 20th March being agreed upon for final argument on the merits of the case.

The sub-committee met on the 20th March, and during that day and the fol-

lowing day heard able and exhaustive arguments, on the part of Mr. Dibble, by General H. E. Paine, one of the ablest lawyers on election cases that appeared before the Elections Committee during the session.

They also heard arguments, on the part of Mr. Mackey, by Judge Shellabarger, a former member of the House and a distinguished lawyer. The brief submitted by General Paine is in print, and contains twenty-seven closely printed pages. That brief discusses, as he did orally, the disputed question which was in controversy relative to the alleged forgeries, changes, and alterations of the testimony.

The facts of the case, touching the election of Mr. Mackey or Mr. O'Connor were not controverted or argued by either Mr. Paine or Mr. Earle, who appeared before the sub-committee for Mr. Dibble, or by Mr. Dibble himself. No assertion or declaration was ever made to the committee by them, or any one of them, that, in accordance with the printed evidence in the case and the returns of the Democratic precinct managers, Mr. Mackey was not clearly elected.

After argument a majority of the members of the sub-committee met, and after consultation and a careful review of the evidence submitted to them, and a full and careful consideration of the arguments of General Paine and Judge Shellabarger, they concluded that the charges of forgery and alteration of the record made by Mr. Dibble were utterly and wholly unfounded, and that the refutation of such charges by the evidence submitted by Mr. Mackey, *ex parte*, as was Mr. Dibble's, utterly dispelled any doubt or shadow of doubt that had been attempted to be cast upon it by Mr. Dibble; and further, that the evidence of Mr. Mackey's election in accordance with the returns made by the precinct managers of election on the night of election, was incontrovertible, and that these returns clearly showed that his majority was 879, counting it, and counting it only as it had been counted by these Democratic precinct managers, every one of whom, as far as appears, voted for Mr. O'Connor. The majority of the sub-committee agreed upon a report, and at a meeting of the full sub-committee, every member being present, the same was considered and adopted.

On April 5 this report was submitted to the full committee and discussed. This report was discussed at length by the members of the sub-committee to the full committee.

The same allegations of fraud, forgery, and alteration of the record which had been originally raised by Mr. Dibble were again gone over in the full com-



mittee. Judge Moulton and Mr. Davis, members of the sub-committee, both argued at length to the full committee that the report of the sub-committee should not be adopted; and they gave as the only reason for refusing to adopt it that the printed record had been changed.

Not only the members of the sub-committee, but other members of the full committee, who in the meantime had examined the subject to some extent, took part in that discussion. After an exhaustive argument and investigation on the part of the full committee, the report of the majority of the sub-committee was adopted by a vote of 11 to 3. By this vote of 11 to 3 the full committee again reaffirmed the declaration that the testimony in this case had not been forged and altered.

**Conclusive evidence in minority report that charge of forgery had been fully considered both by Sub and Full Committees.**

On April 16 the case was reported to the House by Mr. Miller, of Pa. On the 12th Mr. Moulton, on behalf of the minority of the full committee submitted a minority report in the case. That report recommended that the contest of Mackey *vs.* O'Connor be dismissed. Of that minority report of twenty-five printed pages, fourteen are taken up with the effort to demonstrate that the testimony had been altered and changed; establishing again beyond any doubt that this question which had been mooted had not only been examined fully by the sub-committee, but also by the full committee and passed on by them.

**High character of Counsel in the case—The Testimony and the Agents in and the manner of taking and certifying the testimony.**

Mr. O'Connor had able counsel. Chief among them was Mr. Dibble, the sitting member. There was Mr. Brown, Mr. Barron, Mr. Whalen, Mr. Chisolm, and Mr. Izlar. The testimony taken comprises a volume of 766 pages. The contestant's (Mackey's) testimony under the seal of Mr. Hogarth, a notary as well as a stenographer, reached the House of Representatives, at Washington, in an envelope addressed to its clerk. No witness was examined, but who was cross-examined by counsel. Indeed, the work was thoroughly done.

The contestee's (O'Connor) testimony reached the House in a similar manner certified by the magistrate, and verified or authenticated in the same way.

After the contestee's testimony was taken by the stenographer and written out in the imperfect way in which sten-

ographers often write out testimony, it was put into the hands of O'Connor's own counsel, Mr. Chisolm; and he, finding there were some verbal errors—and they almost always occur even among the best stenographers—verbal errors and omissions, Mr. Chisolm called in Mr. O'Connor's son and directed him to sit down with Mr. Mackey and correct these errors whatever they were; and they did do so, and not one of them substantially changes the sense or meaning of anything. They are made on the written translation or transcript of the stenographic characters, and everything which was done appears on the depositions sent to the House.

And the affidavit of Mr. O'Connor says that there was not a thing done nor a change made except by the mutual agreement of the parties; and that he acted by Chisolm's advice, direction, and authority in all he did. This affidavit was produced and filed by Mr. Dibble himself.

This testimony of the contestee went into the hands of Mr. Chisolm, counsel of the contestee, according to the general custom in such cases and by mutual arrangement the transcript of the stenographer's notes, not the original notes. He took them, and went into an examination of the transcript to see whether it was correct.

Mr. Mackey never undertook *alone* to make even a suggestion that anything was wrongly written down or transcribed in the testimony of the contestee. But Mr. Chisolm directed the son of Mr. O'Connor, a lawyer, to sit down and examine if there were errors in transcribing or otherwise in contestee's evidence. And Mr. O'Connor, the son, a lawyer, a gentleman, and a man of truth, says in his testimony: "With the approbation of Mr. Robert Chisolm and by his request deponent assisted Mr. Mackey in making such corrections as we both considered fit and proper; and sometimes those corrections were made by the one and again by the other. In no instance whatever was any correction made without the consent of both the deponent and contestant."

Let it be remembered that Mr. Dibble furnished this affidavit, and that consequently all the charges of forgery by him and the Democracy in the case were uttered with this proof to the contrary before them.

**Dibble's Sweeping Impeachment of his own witnesses and counsel—Charges that his own Agents Committed the Forgery in collusion with the Contestant.**

Nevertheless, Mr. Dibble, standing on O'Connor's rights, attempted to impeach his own stenographer, his own notary, and O'Connor's son, a lawyer and an hon-



orable man, and pretended that the son of Mr. O'Connor and Mr. Mackey committed a forgery.

To prove this sweeping charge the only thing relied on (for there was nothing else) was the fact that Mr. O'Connor's counsel and Mr. Mackey, taking the transcript of some stenographic notes, interlineations and verbal changes, not one of which changes the sense or meaning, but only corrects verbal or grammatical errors.

What next? This manuscript was sent back to the stenographer, to the notary under whose authority the notes were taken, and who was to become responsible for it when he affixed his *jurat* and certificate; and the notary and the stenographer adopted everything there as right and correct, and then sent it to the House under the notarial seal.

Thus Mr. Dibble, supported by the Democracy, accused a man of tampering with evidence, of fraudulently and corruptly altering it, when every alteration or change was made with a full understanding, in the open light of day, by the consent and with the concurrence of both parties, and these alterations or changes were adopted by the magistrate who was responsible for them, and who transmitted the testimony to the House under his own certificate and official seal. By this charge Mr. Dibble impeached his own magistrate, young O'Connor, the son of the deceased *prima facie* member, Mr. Chisolm himself, and attempted to cast an unjust imputation upon Mr. Mackey jointly with them.

**Contemptible Character of Alleged Forgeries of Testimony—Pretended Alterations wholly immaterial in Purport.**

Mr. Ranney, in the House, in describing these pretended forgeries, said:

I have here the sheets of testimony with every single alteration or erasure appearing to be made in that testimony, so far as I have been able to find. It is said that in the testimony there have been made interlineations and erasures. Now, if any man can find any one here that is material or that amounts to anything, his eyes are better than mine. I find here one place where the word "of" was written twice, and one of these words is scratched out.

Mr. REED. That is awful. [Laughter.]

Mr. RANNEY. And in another place the word "some" is written twice and one of those is scratched out.

Mr. DINGLEY. That is a corrupt alteration.

Mr. RANNEY. I find in one of the depositions that it first read "I could read the names on the ticket." The word "could" is scratched out, so that it is left "I read the names on the ticket." What an enormous forgery that is!

Here is another case, where it is written originally "Joseph Spratt, Jr.," and that is erased and is written "Joseph Sprott, jr."

Mr. REED. What a horrible thing that is. [Laughter.]

Mr. RANNEY. Yes, awful; on another page they have the word "exhibit" written twice, and they scratched out one of them. In another sentence where it was written "he arrived there after I did, and upon being told"—the word "upon" is written twice, and one of those words is scratched out. In another place it was written "it used to be held at Carpenter's store." The word "store" is scratched out and "hotel" inserted. And in another place it was written "private house;" that is scratched out and it has changed to "out-house."

Mr. MOULTON. What testimony is the gentleman commenting upon? We cannot hear him.

Mr. RANNEY. Here is one where the initials of the name were wrong, an "M" looking originally something like an "H," and it was made "H." In another "Simms" is made "Sommess." In another place there is the word "Jeff" written; it is made to read "Jack." In another place it was written "witness produced on behalf of E. W. M. Mackey, contestant." "E. W. M. Mackey" is scratched out, and the word "contestant" left. That would save some expense in printing merely.

In another place the word "some" is put in twice and one "some" is scratched out. In another place "Carpetsville" is scratched out and "Corbettsville" inserted. In another place is a word which looks to me something like "around;" in the sentence "were any of them around." That is changed to "armed;" they were talking about whether there were any persons there armed, and that is the right word. In another place "Walker" is changed to "Hegler," which is the correct name. They did not always get the names right. In another place it was written "Hardy Rough;" it should be and was made "Rugg;" a mistake made in taking it down by sound.

Mr. MOULTON. What is the gentleman reading from?

Mr. RANNEY. I am reading from the original testimony of the contestant. I have gone over it and selected every thing in it in the way of erasure or change that I could find. In another place there is a word that is something like "stettlerling" that is stricken out and "standing" put in. I am taking up the time in these matters.

MANY MEMBERS. "Go on!" "Go on!"

Mr. RANNEY. In another case there is written "cast for the Republican Con-

gressman." The words "candidate for" are interlined.

Mr. REED. That is perfectly awful! [Laughter.]

Mr. RANNEY. Here comes the great alteration that is complained of in Mr. Dibble's affidavit already referred to. There are two lines and two words erased. What is the evidence about it? One of the witnesses swears that he went before the magistrate to sign his deposition and he told him that he had got it wrong, and he insisted on its being changed, which was done. In his affidavit here, got to meet the charge, the witness swears that he has examined the printed copy of his testimony, and that it is right as printed. It is not of a feather's weight, and did not amount to anything, as already shown. It has nothing to do with the case reported. Now that is done before the magistrate. It is sanctioned by the magistrate and demanded by the witness himself. Now witnesses have rights. Stenographers do not always get it just right unless they are very good ones, and they sometimes commit errors in transcribing. A witness has a right to insist when anything is wrong that it shall be changed. My rule is that if there is any substantial change made that it shall be made at the end.

Here is another one of these changes. The manuscript now reads "I had to do so by holding the arm of the manager." Before the word "manipulation," it read "I had to do so, I could only detect them by holding the arm of the manager." The effect of the change is simply to show the exact meaning, and the error in taking or transcribing the note was apparent, and was properly corrected on the responsibility of the notary.

Here is another of the changes. The change of a name—William Poole, a Democrat, and nobody denies that it is right as it stands now. Here is another in the phrase, "the Republican votes and tickets," the words "votes and" are scratched out, leaving the words "Republican tickets."

Another instance is the interlineation of the words "in violation of law." I do not know by whom. It is entirely immaterial in effect. The presumption is that the insertion was properly made as having first been omitted by mistake. In every event these words are entirely immaterial and not of the slightest consequence.

In another case there are the words "objection same as before." It is not in the testimony, but the noting of an objection by the magistrate, and is of no consequence any way. Those are all the alterations which I can find; and I went over the matter this morning again personally. Gentlemen can see and examine the sheets for themselves, and I

challenge the closest scrutiny of all this manuscript testimony. I wish the House to see that the charge made is false in general and false in detail, and that the committee have investigated, as bound to do; and to make good my assertion to the gentleman from Maryland, [Mr. McLANE,] who sought to make a personal matter of this thing, although he had no personal knowledge on the subject, and when I had examined the matter. If there is in this whole testimony a material alteration or anything that looks like a falsification I have been unable to find it, and would thank any gentleman to point out anything which they have found and which has not been mentioned by me.

**The charge of Forgery itself a Fraud.—Only one Deposition of a Hundred charged with a Taint of Forgery.—The truth of that verified by Mackey by the Affidavits of all the Witnesses.**

But the tampering with a deposition will only vitiate and justify the exclusion of that one. It will not and cannot be made to affect a hundred others not subject to the charge. It was not pretended that any other affidavit was so tainted. No one of Mr. O'Connor's five counsel named another affidavit as liable to the charge of forgery, nor a sentence or a word of any other deposition. And had the affidavit charged as forged been stricken from the record of testimony, it would not have affected the case at all. Other affidavits, unimpeached and unimpeachable, fully verified every statement in the pretended forged testimony. But Mr. Dibble had no case. The Democracy were fully aware of that and were driven to vile invention to justify their outrageous filibustering and revolutionary tactics in the House in support of the usurper Dibble. They therefore resorted to a prolonged cry of forgery, extending through many days, and even weeks, and that with the further hope of creating in the country a belief that all the testimony in the case was forged or tainted with forgery—that the Republicans were guilty of a wicked outrage by attempting to seat Mackey through forgery in support of fraud.

**Mackey promptly disposes of the charge of Forgery—He verifies the genuineness of the assailed Affidavit.**

But the contestant (Mackey) met this charge and cry in a manly and fearless manner. Indeed, every charge of this kind, general as it was, received refutation in committee at the hands of the contestant. He expressed no fears from an investigation, but courted it. He instructed Mr. Hogarth, the stenographer and notary, who took and certified to the depositions under his official seal,



to compare the printed record evidence of every material deposition with his original stenographic notes, and they were verified and certified to anew in a sworn affidavit. He compared and verified every deposition covering the proof made as to the eleven precincts in dispute and the Democratic returns from which contestant is shown to be elected; and the affidavit was before the committee and the House.

Not only that, but further, contestant obtained and produced before the committee and the House the affidavits of all or substantially all the witnesses themselves, verifying the testimony printed as coming from them.

**Infamous character of the only witness to the charge of Forgery.**

And who was the man, and what his character, on whose testimony was based this charge of forgery? His name was C. Smith. He was an old acquaintance of Mr. Dibble's, who brought him into this case. Smith at one time was a member of the Senate of South Carolina; and as a member of the South Carolina general assembly at its regular session of 1877-78, Mr. Dibble investigated some corrupt transactions in which Smith was implicated. In his report from the joint investigating committee upon these transactions Mr. Dibble denounces Smith as corrupt and guilty of receiving bribes. In one instance when a Senator of South Carolina as receiving \$1,000; in another instance as receiving a bribe of \$500; in another, one of \$300, and in another, one of \$100. He apparently could be bought for any sum for any job. We quote from Mr. Dibble's report his estimate of his own witness:

Your committee feel assured that no language by way of comment would add force to the simple statement of facts attending this era of revelry, embracing speculation, and embezzlement, and robberies of a character hitherto unknown in South Carolina. The perpetrators are covered with infamy and disgrace, and should be pursued during their natural lives with the sword of justice hanging by a thread over their heads.

Hence, when Mr. Dibble wanted a swift and pliant witness he knew exactly where to find him.

**Republican and Democratic Tickets Voted in this District—Their Form and Character—Democratic Tickets Travelled Always in Pairs—The "Little Joker" or Famous Tissue Ballot.**

This ticket is printed on coarse paper, the face white, the back checked in white, red, and green.

There is not a man with eyes who could not distinguish this ticket as far as he could see it.

# UNION REPUBLICAN TICKET

**For President,**

**JAMES A. GARFIELD.**

**For Vice-President,**

**CHESTER A. ARTHUR.**

**For Presidential Electors,**

At Large— THOMAS B. JOHNSON.  
At Large— A. S. WALLACE.  
First District— WILLIAM A. HAYNE.  
Second District— E. A. WEBSTER.  
Third District— THOMAS N. TOLBERT.  
Fourth District— WILSON COOK.  
Fifth District— B. P. CHATFIELD.

For 47th Congress—Second District,  
EDMUND W. M. MACKEY.

For Solicitor—First Circuit,  
M. E. HUTCHINSON.

For Sheriff,  
LOUIS DUNNEMAN.

For Clerk of Court,  
JOHN H. OSTENDORF.

For Coroner.  
WILLIAM H. THOMPSON,

For Judge of Probate.  
WARREN R. MARSHALL.

For School Commissioner.  
SAMUEL R. COX.

For County Commissioners.  
GARRET BURNS.  
R. K. WASHINGTON.  
A. E. PHILIPPY.

For Senator,  
JAMES B. CAMPBELL.

For House of Representatives.

ANDREW SIMONDS.  
THOS. A. MCLEAN.  
WILLIAM J. GAYER.  
CHARLES H. VANDERHORST.  
C. G. MEMMINGER.  
DANIEL T. MIDDLETON.  
JAMES BRENNAN.  
FRANK LADSON.  
ROBERT W. BROWN.  
LOUIS SEEL, Sr.  
MOSES CARTER.  
WM. G. PINCKNEY.  
THOS. OSBORN.  
JAMES HUTCHINSON.  
SMART WRIGHT.  
STEPNEY W. LADSON.  
JAMES SINGLETON.

That was the Republican ticket that was voted. The Democratic ticket voted in that box was the following:



**Democratic Ticket--1880**

**Charleston County**

**Electors at Large,**  
John L. Manning.  
William Elliott.

**District Electors,**  
1st—E. W. Moise.  
2d—Samuel Dibble.  
3d—J. S. Murray.  
4th—Cadwallader Jones.  
5th—G. W. Croft.

**Governor,**  
Johnson Hagood.  
**Lieutenant-Governor,**  
J. D. Kennedy.  
**Comptroller-General,**  
J. C. Coit.

**Secretary of State,**  
R. M. Sims.  
**Attorney-General,**  
Leroy F. Youmans.

**Superintendent of Education,**  
Hugh S. Thompson.

**Adjutant & Inspector-General,**  
Arthur M. Manigault.

**State Treasurer,**  
John Peter Richardson.

**Congress—Second District,**  
M. P. O'Connor.

**Solicitor—First Circuit,**  
W. St. Julien Jervey.

**Senator,**  
Augustine T. Smythe.

**Representatives,**  
C. H. Simonton.  
J. B. E. Sloan.  
James Simons.  
C. P. Richardson.  
John Jenkins.  
H. L. P. Bolger.  
E. McCrady, Jr.

**A. S. J. Perry.**  
John F. Ficken.  
J. C. McKewn.

**E. J. Dennis.**  
W. T. W. Baker.  
John H. Devereux.  
G. W. Egan.

**George M. Mears.**  
Joseph Parker.  
Paul B. Drayton.

**Clerk of Court,**  
W. W. Sale.  
**Sheriff,**  
Hugh Ferguson.

**Probate Judge,**  
William E. Vincent.  
**School Commissioner,**  
Rev. P. F. Stevens.

**Coroner,**  
John P. DeVeaux.  
**County Commissioners,**  
T. A. Huguenin.  
Philip Fogarty.  
William H. Cain.

**Constitutional Amendment relating  
to Homestead—Yes.**

This ticket is printed on thin, light-blue tissue paper.

That is the "little joker" or the tissue ballot which does duty in South Carolina. They have a wonderful way down there of always having two Democratic tickets, one narrower than the other.

These tickets were so folded, one within the other, that a by-stander could not tell that there were more than one ticket.

It is in evidence that at some polls as many as forty of these little fellows were in the outside jacket. When the managers come to draw out the tickets, in order that every one them may count, they stir them up and then these inside tickets would fall out.

Here are two more tickets :

**For Representative in Congress,**

**SECOND CONGRESSIONAL DISTRICT,**

**(TO FILL VACANCY,)**

**SAMUEL DIBBLE.**

**For Representative in Congress,**

**SECOND CONGRESSIONAL DISTRICT, (TO**

**FILL VACANCY)**

**SAMUEL DIBBLE.**

They all travel in pairs—these South Carolina tickets. There is always a little one and then a big one to cover it.

**Characteristic Bourbon Frauds at Hope Engine-House Poll—Republicans Vote open Tickets—Testimony as to the Facts.**

At Hope Engine-house poll in the city of Charleston, the poll-list kept by the Democratic managers of election, the list kept by the Democratic United States supervisor, and the list kept by the Republican United States supervisor substantially agreed. One of them stated that 1,218 men had voted, and two of them stated that 1,214 men had voted—a difference of only four votes in a poll of either 1,218 or 1,214.

No person had access to or control of the ballot-box at that poll during the day of election except the Democratic managers. At the close of the poll, and when the ballots were counted, it was found that there were 2,289 ballots in the box, or 1,071 more ballots than there were voters all told.

It was also found that there were 1,683 Democratic ballots in that box—465 more Democratic ballots than there were voters all told, Republican and Democratic. It was in evidence in this case, the proof being put in by Mr. Dibble himself, assisting the attorney of Mr. O'Connor in Orangeburg County, that the Republican tickets, owing to the peculiar appearance of the back of the ticket, which resembles a playing card, could be recognized across the street.

The Republican supervisor of Hope Engine-house poll states that for much of the day he was in plain view of the voters at that poll, and that he saw many of the Republicans—at least two hundred—came up to the ballot-box and cast such a ballot as above shown; that they came up before the managers with their ticket open by a preconcerted arrangement, and upon the request of Mr. Mackey, that he might be enabled after the election was over to prove just how many ballots were cast; that in the presence of the Democratic manager they folded up the tickets that he might see that each Republican voter voted but one ticket. This Republican supervisor says there were 597 of these tickets put in the box that day by 597 Republicans at that precinct. This would leave but 617 Democratic tickets which should have been cast there on that day. But the evidence shows that, instead of the Democrats having 617 ballots in the box at the close of the poll, they had 1,683.

**Bourbon process for purifying ballot-box of Fraud—Blindfolded Bourbon draws all Republican ballots from box—Distinguished them by their feel as easily as he would a piece of iron.**

In accordance with the law of South Carolina when an excess of ballots is found in the box, it is the duty of one of the managers to draw out such excess. One of them was accordingly blindfolded; and in drawing out this excess of 1,071 he drew out every Republican ballot but five. And when Mr. O'Connor placed that man upon the stand he had the brazen impudence to swear that he felt for the Republican tickets and that the reason those five was not drawn out was because he could not find them. One witnesses which Mr. O'Connor called said he could tell them by their feel as easily as he could tell a piece of sheet-iron from these tissue ballots.

**Fraudulent result at Hope Engine-house poll after Purification of Ballot-box.**

At the close of this purification the Democratic managers counted the vote, 1,200 for O'Connor, and gave to Mackey 5. The county canvassers, all of them Democrats, counted it in the same way, 1,200 to 5. And it went up to the State board of canvassers, all of whom were Democrats, and they again counted it 1,200 for O'Connor and 5 for Mackey. And it came to the House Committee on Elections, and not desiring to count the vote other than the precinct managers had counted it, notwithstanding this atrocious villainy, notwithstanding the magnificent fraud, notwithstanding this unclad perjury, the committee counted it 1,200 to 5. Because the committee would not grant his memorial, because they thought that was the sheerest nonsense in the world, the Democrats filibustered for eight days. The committee counted it as the Democrats counted it, and then the Democratic minority, the Democratic leaders, Randall and Hewitt and Blackburn, resorted to every filibustering expedient to defeat the House in unseating Dibble.

**Infamous Bourbon frauds at Haut Gap precinct—Republicans protest—County canvassers and court refuse to correct Fraudulent count—State Board orders correction as to count for State officers but leaves Fraudulent count for Congress intact—House Committee counted it as Democratic precinct managers counted it.**

The undisputed evidence in the case shows beyond all doubt or controversy that the vote cast at Haut Gap was:

Mackey.....	1,037
O'Connor.....	46
Majority for Mackey.....	991

After the polls had been closed it was found that there had not been a single ballot voted in excess of the number of persons who had voted. After the ballots had been counted and put back in the box with the poll-lists and returns it was sealed up and delivered to J. H. Wilson, one of the Democratic precinct managers, who delivered it to the clerk of the county commissioners of election. The box remained in the possession of the county commissioners of election, who are also the county canvassers of election, until opened to be counted, and when so opened and counted by them it was found to result as follows:

Mackey.....	19
O'Connor.....	1,052
Majority for O'Connor.....	1,033



At once the attention of the county canvassers was called to the fraud which had been perpetrated, but they refused to either hear evidence or correct it. A writ of mandamus was at once sued out against the managers at Haut Gap precinct to compel them to make a return of the election at that poll. To that writ they made answer that they had already done so. Upon this issue was joined, and testimony taken by the judge who issued the writ—himself a Democrat—and after hearing he rendered the following decision :

1. That the ballots cast at the election, together with a statement of the result and the poll list at the close of the canvass by the managers, were put in the box, the box covered with paper and sealed with wax and delivered to J. H. Wilson, one of the managers, to be delivered by him to the county canvassers.

2. That J. H. Wilson brought the box with the seals unbroken and delivered it to the county canvassers on the 3d day of November stating at the time of delivery the contents of the box.

3. That at the time of the delivery of the box to the county canvassers it contained the ballots cast at the election, a statement of the election by the managers, and a poll list, and that the violation of the box was subsequent to its delivery by Wilson.

The managers having done that which it is sought to compel them to do, it is ordered that the rule be discharged.

On this the Republican candidates carried the matter to the State board of canvassers, and there the attorney for the Republican candidates and the attorneys for the Democratic candidates made an agreement. It states that the whole number of votes cast at Haut Gap precinct and counted and returned by the managers thereat was 1,083, of which number the Republican candidates received 1,037 and the Democratic candidates received 46; that when the ballot-box purporting to come from Haut Gap precinct was opened by the commissioners of election of said county it contained no statement of the votes cast at said precinct signed by the managers at said precinct, but simply certain ballots and a poll-list signed by the commissioners of election for said county, acting as a board of county canvassers, that said ballots were found in all to number 1,071 of which number the Republican candidates received 19 and the Democratic candidates 1,052, and that the commissioners of election of Charleston County canvassed and counted the said ballots as last above stated as the votes of the Haut Gap precinct.

Upon this statement, the evidence of the fraud being so overwhelming, the board passed the following resolution :

*Resolved*, That the board overrules the action of the county board of canvassers as to the Haut Gap box, and accepts and acts upon the secondary evidence as to its contents as adduced before this board.

In accordance with this resolution the State board corrected the vote as to the

county officers, but held that as to members of Congress the board had no jurisdiction—the same being vested exclusively in Congress in case of a contest.

The Committee on Election, therefore, as to this poll, counted it precisely as the Democratic precinct managers had counted it, as the State board of canvassers corrected and counted it for county officers, as the counsel for the Republican and Democratic candidates agreed in writing that it had been cast and should be counted: that is, for Mackey, 1,037; for O'Connor, 46.

#### **Mackey's election decided by the count of the Democratic precinct managers.**

In arriving at the conclusion that Mr. Mackey was elected by a majority of 879, the committee accepted the returns precisely as counted by the precinct managers of the three counties comprising the district—Charleston, Orangeburgh, and Clarendon—every manager in every precinct in the district, as heretofore stated, being a Democrat. There are sixty-one precincts in the three counties. The managers counted the vote at every poll and forwarded the result, together with the ballots and the lists of voters to the county canvassers. The aggregate result in the three counties, as so counted by the managers and returned to the county canvassers, was as follows :

	Mackey.	O'Connor
Charleston.....	12,707	10,888
Orangeburgh.....	4,157	4,057
Clarendon.....	1,473	2,513
Total.....	18,337	17,458
Mackey's majority .....		879

In the county of Charleston the county canvassers counted twenty-six of the polls precisely as the managers had counted them, but changed the vote at Haut Gap poll from 1,037 for Mackey and 46 for O'Connor to 19 for Mackey and 1,052 for O'Connor, and left out entirely in their count seven precincts, which were counted by the managers as follows: For Mackey, 3,577; for O'Connor, 465.

In the county of Orangeburgh the county canvassers counted fifteen of the polls precisely as the managers had counted them, but rejected four polls entirely, which were counted by the managers as follows: For Mackey, 1,445; for O'Connor, 430.

In the county of Clarendon the county canvassers counted all the precincts, eight in number, precisely as the managers had counted them. The dispute, therefore, before the House Committee in this case narrowed itself down to



these twelve precincts, so far as Mr. Mackey's right to his seat was concerned.

**Votes in the eleven rejected polls—Supreme Court of State declares that they should be counted—O'Connor's false pretense of intimidation and violence.**

The eleven polls which were rejected by the county canvassers gave the following aggregate vote: For Mackey, 5,022; for O'Connor, 895.

A table compiled from the evidence in this case, shows the number of persons who voted at these precincts according to the poll-lists kept by the Democratic managers; the number of ballots found in the boxes at the close of the polls by those managers; the number of Republican ballots drawn out; the number of Democratic ballots drawn out, and the vote as finally counted and returned by the managers to the county canvassers.

The table is as follows:

In Charleston and Orangeburgh counties:	
Number of persons who voted according to the poll-lists kept by the managers of the election .....	5,993
Number of ballots found in the boxes at the close of the election .....	6,230
Number of ballots in excess of number of persons voting .....	237
Number of Republican ballots drawn out .....	184
Number of Democratic ballots drawn out .....	53
Votes as counted by the Democratic precinct managers and returned to county canvassers:	
For Mackey .....	5,022
For O'Connor .....	895

In order to compel the county canvassers to count the votes of these polls illegally rejected, application on behalf of the contestant and the other candidates on the Republican ticket was made to Judge Wallace, one of the circuit judges of the State, for a writ of mandamus, which he declined to grant. An appeal was then taken to the supreme court of the State, and after a delay of many months it decided that the county boards had erred in rejecting these polls; that under the law of South Carolina the duties of the county canvassers and State board of canvassers in counting the vote of a member of Congress were merely ministerial, and that none of said boards had the right to decide a protest or contest as to the election of a member of Congress, and concluded that—

If E. W. Mackey, candidate for Congress, had filed his petition separately, praying that the mandamus might issue requiring the board of county canvassers to count the votes found in the boxes for him as a candidate for Congress,

we do not see in the case any conclusive reason why the writ should not have issued as to him.

Mr. Mackey, in his notice of contest, stated that these polls had been thrown out by the county canvassers.

Mr. O'Connor, in his response, said, *inter alia*:

Without admitting or denying that in Orangeburgh County the commissioners of election refused to count and canvass and include in their statement of the result of the election the votes cast, canvassed, and duly returned for a member of Congress at the following voting precincts, to wit, Lewisville, Fort Motte, Fogle's, and Bookhart's, I aver and shall maintain that threats, acts of intimidation and violence were perpetrated by your partisans and supporters.

Responding to the charge relative to the polls rejected in Charleston county, he said, *inter alia*:

I admit that in Charleston County the commissioners of election, sitting as a board of county canvassers, did not count, canvass, and include, in their statement of the result of the election, the votes cast at the following voting precincts, to wit, Calamus Pond, Strawberry Ferry, Biggin Church, Ten Mile Hill, Brick Church, Enterprise, and Black Oak; but their refusal to count the same was well founded and justified on the part of the board, sitting as a board of county canvassers, because the returns from each of these precincts, with the exception of Black Oak, when handed into the board were accompanied by protests, properly made out, charging intimidation, violence, and other outrages done by your partisans and supporters.

This is a brief statement of the number of votes cast and canvassed at these eleven polls rejected by the county board of canvassers of Charleston and Orangeburgh counties. It is true that Mr. O'Connor, in his answer, set up that these polls were thrown out because "threats, acts of intimidation, and violence were perpetrated by the partisans and supporters of Mr. Mackey," "to the serious interference with the managers of election in the discharge of their duties, and to the prevention of a free and fair election," but he utterly failed to establish the charges in his proof. Not a single manager testifies that they were overawed and forced to make a miscount; the farthest they go is that they believe many colored men would have voted for Mr. O'Connor if they had been left to their own free choice. No allegation set up by Mr. O'Connor for the rejection of these polls was supported even by the testimony of his own witnesses, and not a particle of evidence in the contestee's testimony shows that these polls were not counted as the committee reported, or that they were not so counted by the Democratic precinct managers.

**Vote of the Second Congressional District of South Carolina, as counted and returned by the Democratic Managers of the Election.**

	M. P. O'Connor.	E. W. M. Mackey.
Vote certified and declared by the State board of canvassers.....	17,569	12,297
Deduct the vote fraudulently returned by the county canvassers of Charleston County as the vote of Haut Gap .....	1,052	19
	16,517	12,278
Add the correct vote of Haut Gap as it was counted and returned by the managers of the election .....	46	1,037
	16,563	13,315
Add the correct vote of the following polls, which the county canvassers of Charleston and Orangeburgh refused to count and canvass, as required by law, to wit:		
Calamus Pond.....	119	511
Strawberry.....	90	573
Biggin Church.....	63	380
En erprise.....	161	385
Brick Church.....	16	732
Ten Mile Hill.....	5	603
Black Oak.....	11	393
Fogle's.....	40	254
Fort Motte.....	85	279
Lewisville.....	236	700
Bookhardt's.....	69	212
	17,458	18,337
Total vote as counted and returned by the managers of the election.....		17,458
Majority for E. W. M. Mackey.. .....		879

That was the Democratic statement of the vote—the statement of the Democratic officers of election—and by it Mackey's majority was 879.

**Stuffing Ballot-boxes, and their Purification by Bourbon Process — Blind-folded Bourbon draws out of box only Republican Ballots — The Result a Handsome Majority for Bourbon Usurper — Mackey's real and legal Majority of the Vote cast, 9,427—Ballot-box Stuffing.**

Although the majority of 879, shown to have been returned by the Democratic managers of the election to the county canvassers, was sufficient to entitle the contestant to be seated, yet the testimony also shows that the contestant actually received a very much larger majority. It was reduced to 879 by a uniform system of ballot-box stuffing—by causing

to be put in the ballot-boxes at all of the polls in the Congressional district but ten an excess of votes over voters on the poll-lists, and then by drawing out a number of ballots equal to that excess—an operation by which the vote of Mr. Mackey was reduced and the vote of Mr. O'Connor greatly increased.

In reference to these frauds the contestant in his notice of contest charged that at each of those polls numerous ballots bearing contestee's name were fraudulently placed in the ballot-box for the purpose of creating in them an excess of votes over voters, and thereby compelling the managers to draw out and destroy the excess of ballots thus created, in order to reduce the number of ballots in the box to the number of names on the poll-list; that in drawing out of the box at each of those polls the excess of ballots so created, numerous ballots with contestant's name thereon which had been legally voted were drawn out and destroyed, and in their place were counted a corresponding number of ballots with contestee's name thereon which had not been legally voted; and the change was substantially approved by the contestee and fully proved by the contestant.

The extent to which the ballots in the boxes exceeded the number of names on the poll-lists at these polls is shown in the following table:

Number of persons who voted according to poll-list.....	36,248
Number of ballots found in boxes.....	42,537

Excess of ballots over voters..... 6,289

In drawing this excess of 6,289 ballots, at many polls not a single Democratic ballot was drawn out, and at many only one; and the consequence was that nearly all the ballots drawn out were Republican. As a natural result, the Republican vote was greatly reduced and the Democratic vote greatly increased. By this table it appears that if Mackey's vote had been counted as cast, his majority would have been 9,427 instead of 879, as counted by the managers after this excess of 6,289 was drawn out.

**House Seats Mr. Mackey — Yeas and Nays.**

The SPEAKER. The House will come to order. The Clerk will read the resolutions.

The Clerk read as follows:

*Resolved*, That the Hon. Samuel Dibble is not entitled to hold the seat now occupied by him in this House as a Representative from the second district of South Carolina in the Forty-seventh Congress.

*Resolved*, That the Hon. E. W. M. Mackey was duly elected as a Representative from the second Congressional district of South Carolina in the Forty-seventh Congress, and is entitled to a seat in this House.



The call of the roll was concluded; and there were—yeas 150, nays 3, not voting 138, as follows:

YEAS 150—Aldrich, Anderson, Barr, Bayne, Belford, Bingham, Bowman, Brewer, Briggs, Browne, Brumm, Buck, Burrows, Julius C.; Burrows, Joseph H.; Butterworth, Calkins, Camp, Campbell, Cannon, Carpenter, Caswell, Chace, Cornell, Crapo, Crowley, Cullen, Cutts, Darrell, Davis, George R.; Dawes, Deering, De Motte, Dezendorf, Dingley, Dunnell, Dwight, Errett, Farwell, Charles B.; Farwell, Sewell S.; Fisher, Ford, George, Godshalk, Grout, Guenther, Hall, Hammond, John; Harmer, Harris, Benjamin W.; Haseltine, Haskell, Hawk, Hazelton, Heilmann, Henderson, Hepburn, Hill, Hiscock, Horr, Houk, Hubbell, Hubbs, Humphrey, Jacobs, Jadwin, Jones, George W.; Jones, Phineas; Jorgensen, Joyce, Kasson, Kelley, Ketcham, Lacey, Lewis, Lord, Lynch, Marsh, Mason, McClure, McCoid, McCook, McKinley, Miles, Miller, Moore, Morey, Neal, Norcross, O'Neill, Orth, Pachec, Page, Parker, Paul, Payson, Peelle, Peirce, Pettibone, Pound, Prescott, Ranney, Rav, Reed, Rice, John B.; Rice, Theron M.; Rice, William W.; Rich, Richardson, D. P.; Ritchie, Robeson, Robinson, George D.; Robinson, James S.; Russell, Ryan, Scranton, Shallenberger, Sherwin, Shultz, Skinner, Smith, A. Herr; Smith, Dietrich C.; Smith, J. Hyatt; Spaulding, Spooner, Steele, Stone, Strait, Taylor, Thomas, Thompson, William G.; Townsend, Amos; Tyler, Updegraff, J. T.; Updegraff, Thomas; Urner, Van Aernam, Van Horn, Van Voorhis, Wadsworth, Wait, Walker, Ward, Washburn, Watson, Webber, West, White, Williams, Charles G.; Willits, Wood, Walter A.

NAYS 3—Hardenbergh, Morse, Phelps.

NOT VOTING 138—Aiken, Armfield, Atherton, Atkins, Barbour, Beach, Belmont, Beltzhoover, Berry, Black, Blackburn, Blanchard, Bland, Bliss, Blount, Bragg, Buchanan, Buckner, Cabell, Caldwell, Candler, Carlisle, Cassidy, Chapman, Cardy, Clark, Clements, Cobb, Colerick, Converse, Cook, Cox, Samuel S.; Cox, William R.; Covington, Gravens, Culbertson, Curtin, Davidson, Davis, Louwdes H.; Deuster, Dibble, Dibrell, Dowd, Dugro, Dunn, Ellis, Ermentrout, Evans, Finley, Flower, Forney, Frost, Fulkerson, Garrison, Geddes, Gibson, Gunie, Hammond, N. J.; Hardy, Harris, Henry S.; Hatch, Herbert, Herndon, Hewitt, Abram S.; Hewitt, G. W.; Hoblitzell, Hoge, Holman, Hooker, House, Hutchins, Jones, James K.; Kenna, King, Klotz, Knott, Ladd, Latham, Leedom, Le Fevre, Lindsey, Manning, Martin, Matson, McKenzie, McLane, McMillin, Mills, Money, Morrison, Mosgrove, Moulton, Muldrow, Murch, Mulchler, Nolan, Oates, Phister, Randall, Reagan, Richardson, John S.; Robertson, Robinson, William E.; Rosecrans, Ross, Scales, Seville, Shackelford, Shelley, Simonton, Singleton, James W.; Singleton, Otho R.; Sparks, Speer, Springer, Stephens, Stockstager, Talbot, Thompson, P. B.; Tiltman, Townshend, R. W.; Tucker, Turner, Henry G.; Turner, Oscar; Upson, Valentine, Vance, Warner, Wellborn, Wheeler, Whitthorne, Williams, Thomas; Willits, Wilson, Wise, George D.; Wise, Morgan R.; Wood, Benjamin; Young.

So the resolutions reported by the Committee on Elections were adopted.

## PART IV.

### Lowe vs. Wheeler.

#### History of the Case.

At the general election held in November, 1880, in the Eighth Congressional district of Alabama, (comprising the counties of Colbert, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, and Morgan), the candidates

for a seat in the Forty-seventh Congress were Joseph Wheeler (Democrat) and Wm. M. Lowe (Greenback Democrat). The returned aggregate vote was: for Wheeler 12,808, for Lowe 12,765; majority for Wheeler, 43, upon which Mr. Wheeler was given the certificate of election. Mr. Lowe at once took the necessary steps to contest Mr. Wheeler's right to a seat in the House.

**The Pretense that Wheeler was denied a Hearing before the Committee a Fraud—A Characteristic Ruse for Delay.**

In the House the claims of the two parties were early referred to the Committee on Elections, and by it to a subcommittee composed of Messrs. Thompson of Iowa, Hazelton, Ranney, Paul, and Beltzhoover. All manner of delays to prevent a hearing or adjudication of the case were the tactics resorted to by the contestee (Wheeler) supported by the Democracy. On the 24th of December, 1881, within three days after the organization of the committee, the testimony in the case was given to the Public Printer and printed. No extension of time or delays were asked by the contestant Lowe. All requests of that kind were made for by the contestee, and his every request or motion for extension of time was granted by the committee. Finally on the 1st of May, 1882, after months of delay asked for and obtained by the contestee or his attorney, Mr. Wheeler filed his brief in the case. Hence his cry, and that of the Democracy in the House, that Wheeler was denied time to prepare and argue his case, denied a hearing before the committee, was simply a fraud; it had no foundation in fact.

**No politics in the case — Wheeler and Lowe rivals in villification of the Republican party—No fair election in Alabama for fifteen years.**

The charges and counter-charges, criminations and recriminations, brought by the contestee and contestant, one against the other, renders it doubtful which of these two men has in the last ten years been most forward in abusing, villifying, or traducing the Republican party. Mr. Lowe, however, denounces bulldozing and the robbery of the ballot-box, and demands a free ballot and a fair count. He says that in the last fifteen years there has not been a free or fair election in all Alabama.

**The conspiracy and its Agents and Programme—Vigilance in Registration—Negroes must realize that they are enrolled for the benefit of the Democrats—The Poor and Dependent, the weaker classes generally, must be manipulated.**

We print from the evidence in this

case the following parts of an extraordinary document authoritatively prescribing the villainous Bourbon Democratic programme for the capture of the 8th Alabama Congressional District:

The following recommendations are made to the respective Hancock clubs in the 8th Congressional district of Alabama. \* \* \*

#### THE WHITE VOTE.

1. Make a list of white voters in each precinct not on the roll of its club.

2. Appoint a committee of one member to wait on each of these, and respectfully and cordially invite him to join us. The committee to report at the next meeting of the club.

3. If any one fails to respond to this invitation, send a committee of two other members most likely to influence him, who will urge him by every consideration that can be presented not by lethargy or inaction to desert his kindred and country in this effort of deliverance, and in some cases to tell him that his decision will, in the opinion of many of his friends and neighbors, determine whether we regard him as a friend or foe to our party.

With some persons such extreme expressions made by regularly appointed census-takers or committee, and that the negro voter should know that he is thus enrolled by the club. \* \* \*

#### THE BLACK VOTE.

1. Make at once a complete list of the qualified negro voters in your precinct, in which shall be set down:

First. The name and address of each voter.

Second. With whom he works, and whether as a hired hand or tenant.

Third. What merchant or other person advances for him.

2. It is deemed preferable that this census be made by regularly appointed census-takers or committee, and that the negro voter should know that he is thus enrolled by the club. \* \* \*

#### PLAN OF CAMPAIGN.

1. The Hancock clubs for the election of all Democratic nominees will meet not less than twice a month; oftener when expedient, and in executive session with closed doors.

2. It is desirable that our attention be concentrated upon selected negro voters to secure the majority desired, and that the others be let alone.

Those selected for our efforts should be, not party leaders, office-seekers, or others who expect to make something out of the Radical party, but—

First. Those who have acquired property and pay taxes.

Second. Those whose relations to and standing with the whites is best.

Third. Those who are poorest and most dependent upon the whites.

Fourth. The weaker classes generally.

3. It is deemed best to operate upon the individual negro voters and to carefully avoid attempting to influence them in masses. To this end, when your register of negro voters is complete, submit it to your club, and require each member to select such negro or negroes as he can influence. Let such member be a committee of one for the purpose he has undertaken and report results to the executive committee of the club; these results to be registered and report when called for by the county chairman.

#### The Clauses of Alabama Constitution in reference to the Ballot, &c.

The constitution of Alabama provides

that all popular elections shall be by ballot; that no educational or property test for suffrage or office shall ever be imposed; and that the legislature shall protect the ballot by adequate penalties, &c. What is a ballot in the meaning of the Constitution? It has the same meaning in law as in the common acceptance of the people. It is a piece of paper or other suitable material with the name of the person or persons voted for written or printed thereon, together with the office for which each person so named is intended to be chosen. (Coolidge's Constitutional Limitations, 760.)

#### Whole Election Machinery of Alabama in hands of Bourbons—Election Officials unable to Read or Write.

The whole machinery of the election was in the hands of Mr. Wheeler's partisan friends. At many of the precincts his Democratic supporters refused to allow a Republican inspector to act or be appointed. It was in evidence that a circular was sent out notifying inspectors of election that the law for the appointment of United States supervisors was invalid, and should be disregarded; that the United States supervisors had no business to touch a ballot or to interfere with the election in any way.

In nearly every one of the election precincts, from one end of the district to the other, the whole machinery of the election was in the hands of the partisan friends of the contestee, who refused to put upon the board any man selected by the friends of the contestant; who refused to select for that position any intelligent man, any man who could read and write, and in some case appointed over the protest of Republicans men who could neither read nor write, and who, as they supposed, would not be able to detect the frauds they proposed to perpetrate.

#### The Bourbons secure a majority only by manipulating the Ballot Box—Disfranchisement of voters through the rejection of legal ballots legally cast.

More than one thousand of the voters of the district were disfranchised—voters for Wm. M. Lowe—on the ground that the tickets voted were illegal in design. Over six hundred votes were thus rejected simply and solely because on the face of their ticket, before the word "district," was printed the numerals "1st, 2d, 3d," &c.

#### Form and Words of the Rejected Ballots.

The rejected ballots were in the following form and words:



## FOR ELECTORS FOR PRESIDENT AND

VICE PRESIDENT.

STATE AT LARGE.

W. L. BRAGG.

E. A. O'NEAL.

DISTRICT ELECTORS.

1st District—D. P. BESTOR,

2d District—JOHN A. PADGETT,

3d District—J. F. WADDELL,

4th District—JOHN ENOCHS.

5th District—THOS. W. SADDLER,

6th District—J. G. HARRIS,

7th District—F. W. BOWDON,

8th District—H. C. JONES.

FOR CONGRESS—EIGHTH DISTRICT.

WILLIAM M. LOWE.

## FOR ELECTORS FOR PRESIDENT AND

VICE PRESIDENT.

STATE AT LARGE.

JAMES M. PICKENS.

OLIVER S. BEERS.

DISTRICT ELECTORS.

1st District—C. C. McCALL,

2d District—J. B. TOWNSEND,

3d District—A. B. GRIFFIN,

4th District—HILLIARD M. JUDGE,

5th District—THEODORE NUNN.

6th District—J. B. SHIELDS,

7th District—H. R. McCOY,

8th District—JAMES H. COWAN

FOR CONGRESS—EIGHTH DISTRICT.

WILLIAM M. LOWE.

**Six Hundred Votes Rejected—A Detailed Summary.**

The following exhibits a summary of the rejected votes:

	Votes.
Big Creek.....	7
Chickasaw.....	8
Courtland.....	65
Danville.....	42
Decatur.....	3
Elkmont.....	56
Falkville.....	97
Flint.....	76
Florence.....	4
Green Hill.....	22
Huntsville.....	63
Kash's.....	2
Madison.....	3
Meridianville (No. 1).....	32
Owen's Cross Roads.....	31
Poplar Ridge.....	41
Russellville.....	51
Total.....	601

**Violent Bourbon Outrages in the Manipulation of the Ballot-Box—Bourbons Ask for and then Denounce United States supervisors—Mutilate or Steal Registration Lists.**

The evidence shows that at Lanier's box all the State officers were well-known Bourbons, and that the ballot-box in the absence of opposition inspectors was duly stuffed in the interest of the contestee. The evidence shows the fact to a moral if not to a legal certainty. The testimony of Hertzler, McDonnell, R. H. Lowe, McDaniel, Toney, Lanier, and others ought, *a priori*, to satisfy any honest doubt on the subject; but, *a fortiori*, while the inspectors return only 57 votes for Lowe, 128 of the voters themselves voluntarily swear that they cast their ballot with Lowe's name upon

them. The same thing is disclosed at Meridianville. All the officers were Bourbons; Lowe had no friends among them; and the ballot-box was stuffed, of course, by the partisans of Wheeler.

The evidence shows how these things were done, and systematically done, by Wheeler's partisans. They called on the United States marshal for deputies at the election, and then denounced him as a usurper for granting their request, and issued a formal proclamation "warning" the people against his authority. They refused in many instances to appoint Republican or Greenback inspectors, but they petitioned the Federal judge far in advance of either party for United States supervisors for themselves, while both before and after their appointment they railed out in the name of State rights against all Federal election officers as the enemies and oppressors of the people. They falsified incessantly in every way from the beginning to the end of the canvass, while they held themselves out to the people as the only friends of decency and truth. They mutilated or stole away the registration lists, and then charged a failure to register upon the opposition. They avowed their devotion to an honest election and a fair count while forging every kind of false and deceptive ballot.

**The infamous yellow circular—Further proofs of Bourbon conspiracy and frauds—Marks or figures on Ballot prohibited by election laws—Such ballots ordered to be rejected—Nevertheless Democratic Returning Boards can only count for Wheeler 43 majority—Democratic minority of House Committee beat Alabama Democratic Returning Board at the game of Fraudulent Counting.**

The following circular, called the "yellow circular," was placed in the hands of Wheeler's partisans at every election precinct or poll throughout the district:

[Yellow circular.]

DEAR SIR: As soon as the polls are closed inform the inspectors of the election that the Lowe tickets with Hancock electors on them are illegal. They contain the figures 1st, 2d, &c., designating the district. These are marks or figures which are prohibited by the election laws; see acts 1878-79, page 72; and all such tickets should be rejected when the votes are counted, after the polls are closed.

(Indorsed :) To be shown only to very discreet friends.

It was inclosed in the following :

IMPORTANT.

You are specially designated as a person whose influence and ability can accomplish much in the election.

You are earnestly requested to be at the polls before the voting commences, and if any in-

spectors or managers are absent see that a good Democrat takes his place. This is very important.

By order of the Congressional Comt.

A. J. SYKES,

Chairman.

E. H. FOSTER,

Secretary.

At the close of the polls, as the evidence shows, the vote stood: for Lowe, 13,456; for Wheeler, 12,609—majority for Lowe, 847. But in obedience to the "yellow circular" decree, the returning boards of the district rejected of Lowe ballots denounced as illegal because of the numerals "1st," "2d," "3d," &c., printed on them, a number sufficient to return a majority for Wheeler of 43. Although the election machinery was in the hands of Mr. Wheeler's friends, and they cast out these 601 votes, threw overboard more than 700 by failing to count or return them, yet, in spite of all this, the returning board of the district, experienced as its members were, heartless as the evidence shows them to be, could only figure 43 majority for General Wheeler in that district.

It was left to the minority of the Committee on Elections to surpass them at their own game and to actually figure a majority for General Wheeler of 2,625. The returning boards, every one of them Democratic, composed of neighbors, friends, and partisans of the contestee, had not cheek enough to return a majority of more than 43; but the minority of the House committee, having a better knowledge of arithmetic, return a majority of 2,625.

**The rejected Lowe ballots violated no law of Alabama—Wheeler tickets printed with figures or marks like Rejected Lowe Ballots counted—Impossible to frame ticket technically legal in every sense.**

It was in evidence, and undisputed, that at this election, Wheeler tickets, printed like Lowe tickets, with numerals on them, were counted for Wheeler. At the Huntsville poll, 147 such votes were counted. The only difference was, that one set of tickets had numerals on the side, and the other set had numerals on the tail. Why were these Wheeler tickets counted and similar Lowe tickets rejected?

Was it not in obedience to the fraud deliberately concocted by Wheeler and his partisans and announced in the infamous yellow circular? But the rejected Lowe tickets violated no law of Alabama. It probably would be impossible to frame a strictly legal ballot—a ticket against which no flimsy or fraudulent objection could be raised.

If "figures" mean numerals, if "characters" mean letters, if "marks" mean punctuation marks, if "rulings" mean



printer's rules, if "embellishments" mean the art of penmanship or the graces of job-work, it would be practically impossible to write or print a ballot which would not technically offend against the letter of the statute. But that is not the proper construction of the law. It is the construction of school-boys and school-books, not of lawyers and courts.

**Active Bourbon Invention—Cunning Bourbon devices to disfranchise Republican and Greenback voters—Carpenters with Tape-line and Merchants with Yard-stick measure ballots—Industrious and ingenious fraud.**

One of their inspectors, a carpenter by trade, carried his tape-line to the polls to measure Lowe's ballots while counting them; and another, being a merchant, utilized his yard-stick for the minimum discovery, after the election, of a score or more of Lowe's ballots, which he triumphantly declared were from one-sixteenth to one sixty-fourth of an inch too long or too short. Indeed, these Bourbon officials were industrious to invent and employ every cunning artifice and secret trick in the election, while busying themselves to conceal their methods, not from their opponents only, but from the more scrupulous men in their own ranks. And when brought to the bar to answer for their offenses, whether as a witness, party, or juror, they know how to avoid perjury by what we may designate as a "detour of intention," a compromise with conscience, a mental reservation against the constitutionality of the law or the jurisdiction of the court.

These offenses were more notorious and worse in fact in Madison county than in any part of North Alabama. They began with the election frauds of August and continued through the November elections. They filled the public mind with a cloud of suspicion and distrust.

**Wheeler attempts to Hedge, and alleges new but equally baseless grounds in support of his title to his Seat—Pleads that thousands who voted for Lowe were not registered—Alabama Law does not require voters to register.**

Wheeler, realizing that he could not maintain his seat through the notorious frauds by which he had been counted in, attempted to hedge by alleging the discovery that thousands of Lowe ballots had been cast by men not registered. Admitting that fact, what of it? The law of Alabama does not make a man's right to vote contingent upon his registering. But it provides that the inspectors of election should have at every poll

in the district, at every precinct, a man with registration certificates; and whenever a voter was not registered he could apply to that man and be registered right there and vote.

Besides, where were the registration lists? Where the proof that the men not registered cast their ballots for Lowe? Where the proof that they were not registered? But the committee, in order to test this new charge as far as possible, took the scraps of registry lists which had been furnished them—all that could be found in the 8th Alabama district, and contrasting Wheeler's pretended lists of non-voters with the names on them, actually found registered even on those scraps of registry hundreds of names alleged by Wheeler not to be registered. Wheeler's pretense was simply a fraud.

**Registration Law of Alabama—Registration no Qualification of Voters—Citizens may Legally Vote on Certificate—No Books of Registry.**

The constitution of Alabama, article 8, section 5, provides:

The General Assembly may when necessary provide by law for the registration of electors throughout the State, or in any incorporated city or town thereof, and when it is so provided no person shall vote at any election unless he shall have registered as required by law.

The natural construction of this provision is that registration could not be made a prerequisite to voting unless it existed in the law itself creating the registration.

There is nothing in the language of the provision to warrant any other conclusion. If the framers of that instrument had intended to make registration a constitutional condition precedent to the right to vote they could and would have said so in plain, direct, and unequivocal language.

If the Constitution, *per se*, makes registration a qualification of voting, why should it vest such a discretion as it has in the Legislature over the main question? The reasonable construction is that the General Assembly is authorized to enact a registry law and provide in that law that no person shall vote at any election unless he shall have registered as required by law; and when such law so provides, and not otherwise, registration becomes an absolute condition of the right to vote. The present registry law of Alabama does not contain any such condition.

Indeed, it is hardly entitled to be called a registry law. It is crude and imperfect, and its execution has been of the same character. Registration made in 1875, under that law, is a complete registration to-day. Registration in one Congressional district, or in one town or precinct is registration under that law,

in any one within the State. And its so-called registrations exist in mere fragments.

Judge after judge, constituted by law the custodian thereof, swears he does not know where his book of registry is. Another judge swears he has a few scraps of paper, that they call a registration list, in his office. And so on. The law has never been executed as it is. And the law never required any man to register in order to have a right to vote. The law provides any man going to the polls who is not registered shall have the privilege of going to a registrar, appointed on the morning of the election, and may register. And that is a compliance with the law.

**Democrats Not Registered Voted upon Affidavit—Lowe certificates all Properly Verified.**

On election day many Democrats, not registered, secured affidavits and voted. All the Lowe affidavits, every one of them, upon which votes were cast were duly certified or authenticated as prescribed by the law of Alabama.

**Wheeler also raises the cry of Forgery—Its Baseless Character—The false pretense of Forgery and Fraud to appear in all cases as a part of the programme to maintain Confederates in seats usurped through violence and Fraud.**

The report of the Democratic minority in the case declares :

It is also claimed by Mr. Lowe that Flint precinct was not counted in the returns of Morgan County, and that this precinct gave him 17 majority, but the proof regarding this matter is contradictory, and is tainted by a forgery, which the affidavit of the probate judge shows was indorsed upon it after it went into the hands of Mr. Lowe and his attorneys.

So far as reaching the meaning indicated, it is an absolute fabrication. What is this "taint" of forgery? In making up the official vote of Morgan County the proper officer had omitted to include, by mistake, evidently, in his certificate, the result of the vote at Flint box precinct, and this fact of omission was afterward noted on the outside of the certificate by the following memorandum: "Flint box not given: Lowe 76; Wheeler 59;" and was no doubt so noted by the returning officer or his clerk. In the light of the facts such an insinuation is an impeachment of the men who make it, and not of Lowe and his attorneys.

This insinuation against the integrity of Mr. Lowe and his attorneys found its way into the minority report, not from the facts in this case, not from the judgment or convictions of the men who made and submitted the report to the House, but in deference to the policy of a party caucous of the minority of the House, that had resolved to over-

ride the sovereignty of a majority of the American Congress in the execution of an unlimited power of the Constitution, the absolute right and power of the House to judge of the elections, returns and qualifications of its own members, upon the mere pretense of forgery or fraud, which was to appear upon the face of all minority reports in the election cases of the House involving the unseating of members on the other side of this Chamber, and furnish thereby an excuse for delay in the public business by filibustering as has confronted us for days in the South Carolina case of Mackey against Dibble.

**House seats Mr. Lowe—Yeas and Nays.**

The SPEAKER. The question recurs on the adoption of the resolutions reported by the Committee on Elections, which the Clerk will read.

The Clerk read as follows:

*Resolved*, That Joseph Wheeler is not entitled to a seat in this House as a Representative in the Forty-seventh Congress from the eighth Congressional district of Alabama.

*Resolved*, That William M. Lowe is entitled to a seat in this House as a Representative in the Forty-seventh Congress from the eighth Congressional district of Alabama.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 148, nays 3, not voting 140; as follows:

YEAS 148—Aldrich, Anderson, Barr, Bayne, Bingham, Bisbee, Bowman, Brewer, Briggs, Browne, Buck, Burrows, Julius C.; Burrows, Joseph H.; Butterworth, Calkins, Camp, Cannon; Carpenter, Caswell, Chace, Cornell, Crapo, Cullen, Cutts, Darrell, Davis, George R.; Dawes, Deering, DeMotte, Dezendorf, Dingley, Dunnell, Dwight, Errett, Farwell, Charles B.; Farwell, Sewell S.; Fisher, Ford, Fulkerson, George, Godshalk, Grout, Guenther, Hall, Hammond, John; Harmer, Harris, Benjamin W.; Haseltine, Haskell, Hawk, Hazelton, Heilman, Henderson, Hepburn, Hill, Hiscock, Horr, Houk, Hubbell, Hubbs, Humphrey, Jacobs, Jadwin, Jones, George W.; Jones, Phineas; Joyce, Kasson, Kelley, Ketcham, Lacey, Ladd, Lewis, Lord, Lynch, Mackey, Marsh, Mason, McClure, McCoid, McCook, McKinley, Miles, Miller, Moore, Morey, Neal, Norcross, O'Neill, Pacheco, Page, Parker, Paul, Payson, Peelle, Peirce, Pound, Prescott, Ranney, Ray, Reed, Rice, Theron M.; Rice, William W.; Rich, Richardson, D. P.; Ritchie, Robeson, Robinson, George D.; Robinson, James S.; Russell, Ryan, Scranton, Shallenberger, Sherwin, Shultz, Skinner, Smith, A. Herr; Smith, Dietrich C.; Smith, J. Hyatt; Spaulding, Spooner, Steele, Stone, Strait, Taylor, Thomas, Thompson, William G.; Townsend, Amos; Tyler, Updegraff, J. T.; Updegraff, Thomas; Urner, Valentine, Van Aernam, Van Horn, Van Voorhis, Wadsworth, Wait, Walker, Ward, Washburn, Watson, Webber, West, White, Williams, Charles G.; Willits, Wood, Walter A.; Young.

NAYS 3—Hardenbergh, Phelps, Rice, John B.

NOT VOTING 140—Aiken, Armfield, Atherton, Atkins, Barbour, Beach, Belford, Belmont, Beltzhoover, Berry, Black, Blackburn, Blanchard, Bland, Bliss, Blount, Bragg, Brumm, Buchanan, Buckner, Cabell, Caldwell, Campbell, Candler, Carlisle, Cassidy, Chapman, Cardy, Clark, Clements, Cobb, Colclrick, Converse, Cook, Cox, Samuel S.; Cox, William R.; Covington, Cravens, Crowley, Culberson, Curtin, Davidson, Davis, Loundes H.; Deuster, Dibrell, Dowd, Dugro, Dunn, Ellis, Ermentrout, Evans, Flower,



Forney, Frost, Garrison, Geddes, Gibson, Gun'er, Hammond, N. J.; Hardy, Harris, Henry S.; Hatch, Herbert, Herndon, Hewitt, Abram S.; Hewitt, G. W.; Hoblitzell, Hoge, Holman, Hooker, House, Hutchins, Jones, James K.; Jorgensen, Kenna, King, Klotz, Knott, Latham, Leedom, Le Fevre, Lindsey, Manning, Martin, Matson, McKenzie, McLane, McMullin, Mills, Money, Morrison, Morse, Mosgrove, Moulton, Muldrow, Murch, Muchler, Nolan, Oates, Orth, Pettibone, Phister, Randall, Reagan, Richardson, John S.; Robertson, Robinson, William E.; Rosecrans, Ross, Seales, Scoville, Shackelford, Shelley, Simonton, Singleton, James W.; Singleton, Otho R.; Sparks, Speer, Springer, Stephens, Stocklager, Talbot, Thompson, P. B.; Tullman, Townshend, E. W.; Tucker, Turner, Henry G.; Turner, Oscar; Upson, Vance, Warner, Wellborn, Wheeler, Whithorne, Williams, Thomas; Willis, Wilson, Wise, George D.; Wise, Morgan R.; Wood, Benjamin.

## PART V.

### Bisbee vs. Finley.

#### History of the Case.

At the general election held in November, 1880, in the second Congressional district of Florida, (comprising the counties of Alachua, Baker, Brevard, Bradford, Clay, Columbia, Dade, Duval, Hamilton, Madison, Marion, Nassau, Orange, Putnam, St. John's, Suwanee, and Volusia,) Jesse J. Finley, (Democrat,) and Horatio Bisbee, jr., (Republican,) were the candidates for a seat in the Forty-seventh Congress. The aggregate vote on the face of the returns was—for Finley, 13,579; for Bisbee, 12,427—making a majority on the face of the returns for Finley of 1,152, upon which Mr. Finley received the Governor's certificate of election. Mr. Bisbee accordingly entered upon the necessary legal measures to contest Mr. Finley's right to a seat in the House, thus making the fourth of a series of four contests from the same district, to which the claimants to a seat in the present House were one or both of them parties. Fraud and contests in the district had become chronic.

#### Correction of Bourbon Fraudulent Count in Madison County—Bisbee's Legal majority 564.

The original returns upon their face gave Finley a majority of 1,152, but it was conceded that two returns in due form and properly authenticated, and aggregating 149 votes, from two precincts in Madison County, were not counted by the county canvassers. These reduced contestee's majority to 1,003. No excuse was alleged or shown for the conduct of the county canvassers referred to. Under the laws of Florida, as previously adjudicated by the supreme court of that State, they were bound to count these returns, having no revisory discretion of judicial authority vested in them to do otherwise. Their failure to do so can be accounted for only on the assumption of fraud or gross negligence

amounting to fraud. We start, therefore, in an examination of the facts in the case, with an apparent majority of 1,003 votes in favor of contestee Finley, but soon find that, in one aspect of the case, the very worst aspect which can be assumed, contestant Bisbee was elected by a majority of 83 votes; but in another aspect, which the majority of the committee believed to be the true one, as not only warranted by the law and the evidence, but as established firmly by the proofs, Bisbee was elected by a majority of about 564 votes.

#### Minority Report claims only 316 majority for Finley.

The report of the minority of the committee indulges in an extended argument and voluminous statement—a cloud of words or sophistry. It argues at length in support of the original return of 1,152 majority for Finley, but finally with great liberality concedes that Finley's majority was only 316. One of the minority so announces it in an unqualified statement, thus practically yielding all else in controversy.

#### Details from the Testimony in proof of Bisbee's election—His majority 564—The Figures and Facts.

A minute analysis of the majority report shows that the contestant claimed, sustained by the facts, that 269 votes were tendered for him and illegally rejected; that 96 illegal votes were cast for contestee; that 237 votes were cast for contestant in Alachua County more than were returned for him, to wit, 191 at Arredonda, 18 at Newnansville poll, and 28 at Parker's Store poll, these 237 votes having been cast by persons whose names appear on the poll lists, and 156 of them having been counted for Mr. Finley instead of contestant. Contestant's vote was thereby wrongfully reduced by 237 votes, and contestee's vote wrongfully increased by 156. This results in reducing Mr. Finley's majority to the extent of 393 votes as the proper deduction on account of these three polls. That contestant's majority in Madison County was at least 436, instead of 108, on the face of the district returns, making a difference of 328 votes, which should also be deducted from Mr. Finley's reported majority named. That would give contestant a majority of 83 votes without rejecting any returns or deducting any votes from Mr. Finley except the 96 illegal votes and the votes cast for contestant and wrongfully counted for contestee.

The majority of 645 found for contestant, in the other aspect of the case, was obtained by rejecting Brevard County, which gave Mr. Finley a majority of 148, because there was a fraudulent neglect or omission to obey the law relating to registration, so that the entire

foundation for a legal election in that county was wanting; by rejecting the so-called returns of Fort Christmas poll, Orange County, where Mr. Finley's majority was 27, and counting nothing there for either in the absence of all proof as to what it was; by rejecting the returns of Arredonda, Newnansville, and Parker's Store polls, by which Mr. Finley loses his returned vote (not having proved any) of 172 at Arredonda, 146 at Newnansville poll, and 155 at Parker's Store, total 473; from which 237 (number proved for Mr. Bisbee over returned vote) must be deducted, leaving 236 to be carried into column of deductions; by rejecting return No. 3, Hamilton County, which gave Mr. Finley a majority of 68; by adding one vote for contestant and deducting same from the vote of Mr. Finley in Nassau County.

That is one way of stating it.

**Table giving in another form the Figures and Principles in proof of Bisbee's election.**

The following table gives the figures and principles in another form :

	Finley.	Bisbee.
The total vote returned is.....	13,430	12,427
Add to contestant's vote the votes tendered and rejected.....		269
Deduct from contestee's vote the illegal votes cast for him.....	96	
Deduct from contestee's vote at the Arredonda poll, 172; Newnansville poll, 146; Parker's Store, 155.....	473	
And add to contestant's vote the votes proven at said polls in excess of his returned vote, Arredonda, 191; Newnansville, 18; Parker's Store, 28.....		237
Madison County, deduct from contestee.....	163	
And add to contestant.....		165
Nassau County, Odwin's Branch poll, deduct from contestee.....	1	
And add to contestant.....		1
Total of above correction...	733	672
Total vote returned for Bisbee.....	12,427	
Add Bisbee's corrected vote.....	672	
Making a total of.....		13,099
Total returned vote for Finley.....	13,430	
Deduct Finley's corrected vote.....	733	
Leaves a total.....	12,697	
And making a clear majority for Bisbee of.....		402

But this must be still further corrected as follows:

	Finley.	Bisbee.
Deduct returned vote in Brevard County.....	222	74
Deduct returned vote at No. 3 poll, Hamilton County.....	136	68
And at Fort Christmas poll, Orange County.....	30	3
Total.....	388	145

**Recapitulation.**

Total returned vote for Bisbee.....	12,427
Add for Bisbee's corrected vote.....	672
	13,099
Deduct corrected vote of Bisbee.....	145
	12,954
Total returned vote for Finley... 13,430	
Deduct corrected vote of Finley's.....	733
Deduct ditto.....	388
	1,121

Leaving a total for Finley of..... 12,309

And a majority for Bisbee of..... 645

Now, concede to contestee at the two polls of Newnansville and Parker's Store, Alachua County, the difference between the total returned vote for Representative and the votes proved for contestant, and 255 votes would be deducted from Bisbee's majority, leaving him 390 majority. And even if the polls in Brevard County, No. 3, Hamilton County, and Fort Christmas poll, Orange County, were not rejected, contestant would still have a majority of 147 votes.

In any view of the case founded upon the law and the evidence, the contestant has a majority of the legal votes cast.

**Table of Minority Report giving figures in support of Finley's Claims that Finley's majority was 316.**

The following will show the figures in the conclusion of the minority report already referred to:

Finley's official vote.....	13,430
Bisbee's official vote.....	12,427
Add from Alachua.....	88
Add from Marion.....	122
Add from Nassau.....	2
Add from Madison.....	328
Add from Orange.....	33
	13,000
Finley's majority.....	430
From this may be deducted all other votes which there is any proof to show were disallowed.....	114
Leaving Finley's majority.....	316

By this it will be seen that the minority allow the 328 additional votes



claimed from Madison County, the additional votes cast in Newnansville and Parker's Store poll (all save 2) for contestant and counted for contestee, 88, (twice 44,) being added to Mr. Bisbee's vote. Those added for Marion, Nassau, Orange, and the 114 generally, embrace the 269 stated as tendered and refused in what the majority find.

It will be seen that the minority do not deduct from the vote of Mr. Finley the 96 votes which the majority find were illegal, that they count the return as made from the Arredonda poll, to wit, 172 for contestee and 69 for contestant, and adopt the other returns which the majority find should be rejected.

**Ballot-box Stuffing and Fraud in Madison County—The Returns purged of their Fraud.**

In Madison county ballot-box stuffing and fraud were systematically practiced on a large scale. The facts are admitted by the minority report. It also concedes the 328 additional votes claimed for Mr. Bisbee, and in estimating the true result of the election these polls were simply purged of their fraud. Had the whole return been rejected, the frauds would have been successful, and the Republican majority of the county practically disfranchised.

**Shot-guns, and Muskets, and Bowie-knives—Bourbon Election Agents in South Carolina—Intimidation and violence at Fort Christmas poll.**

At Fort Christmas poll, upon the fraudulent return, the vote was, Finley 30, Bisbee 3. At that poll, ten of these thirty valiant Democrats appeared with their shot-guns and their muskets, and they stacked them near the poll (all save one which was taken inside) as a menace; and one of these men took position in the door-way of the polling-room with a large bowie-knife—a ten-inch blade—prominent in his belt. There is no evidence taken to show whether any electors were intimidated and went away or not without voting. That was not gone into. But there is this significant fact, they allow in the return only three Republican votes. Brave and valiant men, to go there thus armed to protect themselves and the poll against three colored Republicans! There must have been more to call for such a demonstration. This poll was, of course, rejected.

**Bourbon Frauds at the Arredonda Poll—Bisbee proves them by Unquestionable Testimony—259 Electors swear they voted for Bisbee—Only 69 returned.**

Mr. Bisbee, the contestee, called witnesses to prove that at the Arredonda

poll there were cast for him 260 votes at least. He called 259 electors to prove that, each one of whom swore that he voted for him, and that another elector not called voted for him also. The names of the men who so swear are down on the poll-list as among those who voted, and on the registration list as qualified electors. They are men who are well known in that precinct, having lived there long, if not all their lives, had always voted there, and had always voted the Republican ticket. According to the way in which they, or some of them, give their testimony, they would have regarded it as almost an insult for any one to say that they voted any other ticket. And yet only 69 of them were counted for contestant!

**Increase of Democratic vote and Decrease of Republican vote at Arredonda Idle Talk.**

It is idle to talk about the Democratic vote having increased from 66 in 1878 to 172 in 1880, and of the Republican vote having correspondingly diminished, against the evidence of 259 electors, and with nobody else swearing the other way or attempting to account for it, or to show it except by a return which is impeached successfully by this evidence, and otherwise controlled.

**Flagrant and Ingenious Fraud at Arredonda Poll—an old Complaint—Every Safeguard provided by Law to Protect the Ballot-box and secure an honest count Broken Down.**

How did it happen that only 69 votes were returned for Mr. Bisbee and 172 for Mr. Finley? It was by a well-planned scheme of flagrant and most ingenious fraud. It was not new in kind. In another part of this very district the same thing was practiced at a previous election. The method of proceeding was not patented; so it was adopted here. What did they do? The vote was peaceable and quiet; everybody voted who wanted to vote; there was no intimidation; everything was fair and smooth on the surface. But when the poll was closed, either another box already prepared with contents was substituted for the box used, or the contents of the box used were changed by a manipulation skillfully executed. That is the only way in which to account for the result. And a statement of the facts proved shows that it was done, although there was no direct evidence as to the exact time and way of its accomplishment.

The managers of election at this poll broke down every safeguard provided by law to protect the ballot-box and to secure a fair election and an honest count.

### **Bourbon violations of the Constitution and Laws of Florida at Arredonda Poll.**

The minority speak of the violations of law being technical. Let us see. By the laws of Florida the Republicans were entitled to have one inspector at least in each precinct who could read and write, and if any inspector is absent on the day of election the electors present are to choose another to fill the place. The person appointed at the Arredonda poll, Ephriam George, was appointed against the protest of the Republicans. He was a disreputable person, a fugitive from justice, and not appearing, his father, Virgil George, an intemperate person, was selected and put in his place by two Democratic inspectors on the false pretense that he was the one intended in the appointment originally. He was furnished with spirituous liquor at the polls, got drunk, as was contemplated, and proved unfaithful to his trust.

By the statute the Republicans were entitled to have admitted inside the poll-room a representative of their own choice to act as watcher. One was chosen, a man of high standing, but he was excluded by the Democratic managers.

The statute authorized an adjournment only for dinner for one-half hour between twelve and one o'clock p. m., the box meanwhile to be sealed up and kept in possession of an inspector, who was not to have the key thereof. Another provision of the statutes reads:

As soon as the polls of an election shall be finally closed the inspectors shall proceed to canvass the votes cast at such election, and the canvass shall be public, and continued without adjournment until completed.

These wise provisions of law were openly violated and for a manifest purpose.

Flewellen, one of the Democratic inspectors, and evidently the schemer and head-devil in the fraud, had a supper previously ordered and ready at a boarding-house about one hundred yards from the polling place.

### **Infamous Bourbon Frauds at Arredonda Poll—Too Indecent and Flagrant, too Corrupt for any mercy of construction.**

The poll closed at sunset. Instead of proceeding to canvass the votes at once publicly, the inspectors delayed purposely, and without excuse, *until it was dark*, closed the shutters to conceal the box from the public view, waited, doing nothing for a half-hour or more, with only about 330 votes to count, and then adjourned for supper. Nothing was done about counting the votes before supper. A box was carried to the sup-

per-room, and a box brought back afterward, opened in a room used as a bar-room adjoining the polling-room, and a lot of ballots there counted, and the return referred to subsequently made. The table on which the ballot-box stood during the process of polling was a large dry-goods box turned upside down. There was a door leading from the polling-room into an adjoining room. It was manifestly well known by the poll-list, or by the number of known electors at that poll, about how large a vote there would be. It was easy to duplicate the box—there were duplicates in existence—as they were made alike. It was, therefore, easy to have a prepared box ready for substitution, or to have a set of ballots ready on hand for substituted contents of the ballot-box used, either at the house or in the adjoining room alluded to, or under the dry-goods box used as a table.

All hands agree that some eighty persons followed clamoring when the adjournment was made, but they were not let into the boarding-house.

In the words of another, "there was a most indecent and flagrant violation of duty, too palpable for blunders, too corrupt for any mercy of construction."

### **Bisbee takes Testimony within the Legal time—Bourbons expel his attorney engaged in taking Testimony—Bourbons raise Hades in the District—U. S. Judge and Marshal powerless to suppress the Disorder.**

It was also charged in the debate in the House that the contestant (Bisbee) was allowed by the committee to take testimony out of the time prescribed for the obtaining of evidence in the case. In reply, Mr. Bisbee, the contestant, said: "I desire to say that all the testimony which I took was taken within the ninety days. He [Mr. McMillin] says I took the testimony during the last ten days which ought to have been taken during the first forty. In answer to that I will state to the House and the country what the contestee well knows—that his friends and supporters in Madison County raised there what has been left out of the revised edition of the New Testament.

"They drove my officer and my attorney out of that county. The Department of Justice sent a United States judge and marshal there, but they could not check the disturbance and proceed with the evidence. The excitement and turmoil and civil commotion extended over the whole district. He knows, if he knows anything about the case, and I judge from his argument that he does not, that that is the reason I did not take the testimony during the first forty days. Will any man of common sense suppose I delayed the taking of any



testimony until the last ten days, thus running the risk of having it ruled out, if I could have taken it during the first forty days?

"Such a state of things existed, Mr. Speaker, that I could get no attorney to go outside of Duval County to take the testimony, and while I was here occupying a seat on this floor I sent an attorney from the city of Washington in order to do it."

**Bourbons perpetrate every Crime known to the Laws—Armed Masked Men stop and invade Railroad trains, and release Prisoners and Subpoenaed witnesses in charge of U.S. Marshals—the District honeycombed with Fraud and Crime.**

The contestant thus briefly describes the systematic outrages and the violent crimes by which the contestee secured the fraudulent majority counted for him by the Democratic Returning Boards of Florida:

"Mr. Speaker, this record discloses that the supporters of the contestee have committed every crime known to the election laws of Florida and to the national election laws in this contest at that election. In Columbia County, in Putnam County, in Orange County they arrested men while at the polls to vote; these same Democrats, supporters of the idea advanced here but a year and a half ago, that if a deputy marshal was permitted to be at the poll, even to preserve the peace, the liberties of this country were in danger.

"And yet here a deputy sheriff, without a warrant, with out any charge against them, took men away from the polls while in the act of depositing their ballots. Two men in Putnam County were arrested, taken away from the polls, and soon after the election they were released. So it was in Orange County. At one of the polls in Orange County the officers of the election made a ruling excluding every man from voting whose name was not on the registration list. Some Republicans went home who were denied the right to swear in their votes, which the law commanded the election officers to allow them to do. After those men had gone home, some Democrats came up whose names were not on the registration list, and the election officers reversed their ruling and allowed them to vote.

"In the county of Madison, not only did they debase the ballot-box and revel in fraud, but they entered into a conspiracy to prevent the frauds they had committed from being exposed. They did that not only by threatening the voters, but by going on the railroad trains with masks and with arms, stopping the trains and releasing by force the prisoners who were in the hands of

the deputy marshal and the witnesses who had been subpoenaed to attend the Federal court. Language is inadequate to describe the condition of things in that county, the influence of which spread like wild fire all over the whole district. Yet gentlemen pretend that this was a fair and honest election. Although in this case, as in others, it was honeycombed all through with fraud, yet gentlemen come here and claim, without a twinge of conscience or a blush of shame, that this was an honest election.

"Mr. Speaker, there are other points in this case that I should like to discuss, but time will not permit. It is said by the gentleman from Texas that you ought to retain my opponent in his seat as an olive-branch of peace to the Democracy of the South. Sir, this House ought to be just at all times. If my opponent had shown that he was elected, or if I had not shown that I was elected, I would not ask to be seated."

**House seats Mr. Bisbee—Yeas and Nays.**

The SPEAKER. The question is upon agreeing to the resolutions reported from the Committee on Elections, which the Clerk will read.

The Clerk read as follows:

*Resolved*, That Jesse J. Finley was not elected as a Representative to the Forty-seventh Congress from the second Congressional district of Florida, and is not entitled to the seat.

*Resolved*, That Horatio Bisbee, jr., was duly elected as a Representative from the second Congressional district of Florida to the Forty-seventh Congress, and is entitled to his seat as such.

The yeas and nays were ordered.

The question was taken, and there were—yeas 141, nays 9, not voting 141; as follows:

YEAS 141.—Aldrich, Anderson, Barr, Bayne, Bingham, Bowman, Brewer, Briggs, Browne, Buck, Burrows (Julius C.), Butterworth, Calkins, Camp, Campbell, Cannon, Carpenter, Caswell, Chace, Cornell, Crapo, Crowley, Cullen, Cutts, Darrell, Davis (George R.), Dawes, Deering, DeMotte, Dezen-dorf, Dingley, Dunnell, Dwight, Errett, Farwell (Charles B.), Farwell (Sewell S.), Fisher, George, Godshalk, Grout, Guenther, Hall, Hammond (John), Harmer, Harris (Benj. W.), Haskell, Hawk, Hazleton, Heilman, Henderson, Hepburn, Hill, Hiscock, Horr, Houk, Hubbell, Hubbs, Humphrey, Jacobs, Jadwin, Jones (Phineas), Jorgensen, Joyce, Kelley, Ketcham, Lacey, Lewis, Lord, Lynch, Mackey, Marsh, Mason, McClure, McCoid, McCook, McKinley, Miles, Miller, Moore, Morey, Neale, Norcross, O'Neill, Orth, Pacheco, Page, Parker, Payson, Peelle, Pierce, Petibone, Pound, Prescott, Ranney, Ray, Reed, Rice (John B.), Rice (William W.), Rich, Richardson (D. P.), Ritchie, Robeson, Robinson (George D.), Robinson (James S.), Russell, Ryan, Shallenberger, Sherwin, Shultz, Skinner, Smith (A. Herr), Smith (Dietrich C.), Smith (J. Hyatt), Spaulding, Spooner, Steele, Stone, Strait, Taylor, Thomas, Thompson (Wm. G.), Townsend, (Amos.) Tyler, Updegraff (J. T.), Updegraff (Thomas), Urner, Van Aernam, Van Horn, Van Voorhis, Wadsworth, Wait, Walker, Ward, Washburn, Watson, Webber, West, White, Williams (Chas. G.), Willets, Wood (Walter A.).

WAYS 9.—Burrows (Jos. H.), Ford, Fulkerson, Har-denburgh, Hazeltine, Holman, Jones (George W.), Paul, Rice (Theron M).

NOT VOTING 138.—Aiken, Armfield, Atherton, Atkins, Barber, Beach, Belford, Belmont, Betzhover, Berry, Black, Blackburn, Blanchard, Bland, Bliss, Bount, Bragg, Brumma, Buchanan, Buckner, Cabel, Caldwell, Candler, Carlisle, Cassidy, Chapman, Clady, Clark, Clements, Cobb, Colerick, Converse, Cook, Coz (Samuel S.), Coz (William R.), Covington, Cravens, Culberson, Curtin, Davidson, Davis (Lounides H.), Deuster, Dibbrell, Dowd, Dugrove, Dunn, Ellis, Ermentrout, Evins, Finley, Flower, Forney, Frost, Garrison, Geddes, Gibson, Gunter, Hammond (N. J.), Hardy, Harris (Henry S.), Hatch, Herbert, Herndon, Hewitt (Abram S.), Hewitt (G. W.), Hoblitzell, Hoge, Hooker, House, Hutchins, Jones (Jas. K.), Kasson, Kenna, King, Klotz, Knott, Ladd, Latham, Leetom, Le Fèvre, Lindsey, Manning, Martin, Matson, McKenzie, McLane, McMullin, Muls, Money, Morrison, Morse, Mosgrove, Moulton, Muldrow, Murch, Mutchler, Nolan, Oates, Phelps, Phister, Randall, Reagan, Richardson (John S.), Robertson, Robinson (Wm. E.), Rosecrans, Ross, Scales, Seville, Scranton, Shackelford, Shelley, Simonton, Singleton (Jas. W.), Singleton (Otho R.), Sparks, Speer, Springer, Stephens, Stocklager, Talbott, Thompson (P. B.), Tillman, Townshend (R. W.), Tucker, Turner (Henry G.), Turner (Oscar), Upson, Valentine, Vance, Warner, Wellborn, Wheeler, Whithorne, Williams (Thomas), Willis, Wilson, Wise (Geo. D.), Wise (Morgan E.), Wood (Benjamin), Young.

So the resolutions reported by the Committee on Elections were adopted.

## PART VI.

### Smalls vs. Tillman.

#### History of the Case.

At the general election held in November, 1880, in the Fifth Congressional District of South Carolina, (comprising the counties of Colleton, Beaufort, Barnwell, Edgefield, Aiken, and Hampton,) George D. Tillman (Democrat) and Robert Smalls (Republican) were the candidates for a seat in the Forty-seventh Congress. The aggregate vote on the face of the returns was—for Tillman, 23,325; for Smalls, 15,287—majority for Tillman, 8,038. Mr. Tillman received the certificate of election. Mr. Smalls at once took the necessary legal steps to contest Mr. Tillman's right to a seat in the House of the Forty-seventh Congress.

#### The Election Laws and Machinery of South Carolina.

The election law of South Carolina in force at the time of this election was quite ample in its provisions, easily understood, and, if strictly followed by the officers of election, furnished every facility for detecting frauds and correcting errors if any were committed. It provided for a State board of canvassers, consisting of certain State officers; a board of three commissioners of elections for each county in the State, who were to be appointed by the governor, and a board of three managers for each election precinct, to be appointed by the county commissioners. The precinct managers were authorized to

employ a clerk, who was required by law to keep a poll-list containing the names of all persons who voted in the precinct. At the close of each election the precinct managers and their clerk are commanded to immediately proceed to open the box, count the ballots, and continue such count without adjournment until the same is completed, and make and sign such a statement thereof as the nature of the election shall require. If in counting two or more like ballots shall be found folded together only one shall be counted, the other destroyed, but if they bear different names they shall both be destroyed and not counted. If the ballots in the box exceed the names on the poll list, they shall be returned to the box, mixed together, and one of the managers or clerk, without seeing the ballots, shall draw from the box and immediately destroy as many ballots as those in the box exceed the names upon the poll-list.

Within three days thereafter the chairman or one of the board, to be designated in writing by said board, shall deliver to the county commissioners of elections the poll-list, the box containing the ballots, and a written statement of the result of the election in the precinct. The county commissioners of elections shall meet at the county-seat, organize their board on the Tuesday next following the election, and proceed to canvass the statements of the several boards of managers. They shall make such statements thereof as the nature of the election shall require, within ten days after their organization, and shall make separate statements of the whole number of votes given in such county for Representative to Congress, a copy of which shall be transmitted to the governor, secretary of state, and the comptroller-general. Immediately after the final adjournment of the county board the chairman thereof shall forward, addressed to the governor and secretary of state, by a messenger, the returns, poll-lists, and any protests and all papers pertaining to such election.

#### Precinct Returns and Poll-lists destroyed as a means of Concealing the Frauds in the Election of Tillman's returned vote.

In this contest when the secretary of state was called upon for copies of the election returns and poll-lists for this district he replied that there were no poll-lists or precinct returns of votes cast at that election sent to his office from the counties of Edgefield, Barnwell, and Colleton.

Why were not these papers sent, filed, and preserved, and why did these officers neglect this plain and important duty? If these papers were in existence to-day they would furnish evidence



conclusive and overwhelming of the fairness and legality of the election in this district and thus vindicate the election officers, or they would establish beyond question the truth of the charge of frauds and rascalities and identify and expose to public view the officers by whom they were perpetrated. The plain and imperative provisions of the law required those papers to be made and forwarded, and a faithful discharge of official duty demanded a strict compliance with its provisions.

We can conceive of no object or purpose for this neglect unless it was to cover up and conceal the frauds which had been committed and prevent their discovery by the suppression or destruction of this important evidence.

**Color Line in politics strictly drawn in South Carolina—Colored voters all Republicans—Large Colored majority in Fifth Congressional District.**

In no Southern State is the color line in politics more strictly drawn than in the State of South Carolina. In every county in that State the colored people are recognized as Republicans. In the fifth Congressional district there were 14,394 whites and 27,262 colored males who were twenty-one years of age and over. Here was a clear majority of 12,968 in favor of the contestant. Not one spark of testimony was produced before the committee to show how, by any fair and legitimate means, that could have been changed into 8,038 majority for the contestee.

**Colored People, when unintimidated, vote the Republican Ticket.**

The evidence in this record shows what every intelligent man in the country knows, that the colored people vote for the Republican ticket. They regard that party as the party that gave them their freedom and bestowed upon them the rights of citizenship, and when left to vote as they choose, unawed by fear, they are faithful to the Republican party as they were faithful to the Union cause during the late war, and the persecutions and the outrages that have been visited upon them since their emancipation have driven them together more closely and increased their devotion and loyalty to that party.

**Relative Colored and White vote in Aiken County from Census of 1880—Proofs of Bourbon Frauds in Tillman's returned vote.**

In the county of Aiken the census of 1880—the year when this election was held—shows that the white males of twenty-one years of age and upward, including native-born and foreign, were 2,873; colored males of the same age,

3,112; making an aggregate of 5,985 white and colored, native-born and foreign, of voting age. The vote, as certified by the secretary of state in his return, and upon that return the contestee's credentials were based, gives the vote for Mr. Tillman as 4,980 and of Mr. Smalls 1,467, making an aggregate of 6,447 claimed to have been cast at that election, showing an excess of votes over the voting population in that county of 462; and the evidence in this case shows conclusively that 414 citizens were deprived of the right of suffrage, which, added to the excess of 462, would increase the vote to 876 above the voting population of the county.

Another remarkable feature deducible from these figures is that if Mr. Tillman received the vote which was credited to him in the State canvass he must have received the votes of every white male voter in the county, with 2,107 colored votes in addition.

**Relative Colored and White vote in Barnwell County from the Census of 1880—Proofs of Bourbon Frauds in Tillman's vote as returned.**

In Barnwell County the census of 1880 gives the voting population: white, 3,131; colored, 4,775; total, 7,906. The returns of votes for this county were as follows: Tillman, 5,422; Smalls, 2,445; total, 7,867; lacking only 39 votes of the entire voting population of the county; while the evidence in this case shows that there were beyond all controversy 1,148 voters who were deprived of the right of suffrage, which, added to the vote as counted, would show an excess of votes over voters in this county of 1,117. If Mr. Tillman's vote is correctly stated in the returns from this county he must have received the entire white vote of the county besides 2,391 votes from the colored voters.

**Relative Colored and White vote in Colleton County from Census of 1880—Further proofs of Bourbon Frauds in Tillman's vote as returned.**

In the county of Colleton the voting population by the census of 1880 was: white males, 2,706; colored, 5,173; total, 7,879. By the return of votes Mr. Tillman received 3,475 votes in this county and Mr. Smalls 2,776; a total of 6,251, or 1,628 less than the entire voting population. The record discloses that many voters were disfranchised, 618 cast in Jacksonville precinct not counted, 276 in Horsepen precinct, 700 in Summerville, and in other precincts hundreds were deprived of the right to vote, the exact number of which cannot be accurately ascertained, but a number sufficiently large which if added to the vote counted would show that the vote far exceeds the voting population of the

county. A comparison of these figures alone shows that for Mr. Tillman to have received the vote counted and certified for him he must have received the entire white vote and 769 colored.

**Relative Colored and White vote in Edgefield County from the Census of 1880—Still farther proofs of Bourbon Frauds in Tillman's vote as returned.**

In the county of Edgefield the voting population of the census returns was as follows: white males, twenty-one years of age and over, 3,553; colored, 5,648; a total of 9,201. The vote, as counted by the State board, for Mr. Tillman was 6,467; for Mr. Smalls, 1,046; a total of 7,513, or 1,688 less than the voting population. But the record evidence in this case proves beyond a question that in the county of Edgefield, in the various precincts, 3,020 legal voters were deprived of the right of suffrage by intimidation and violence. This, if added to the vote counted, would show the excess of votes over voters to be 1,832.

Now, if Mr. Tillman's vote is correctly stated at 6,467 he must have received in addition to the votes of every white male voter in the district the votes of 2,914 colored voters, a proposition which no man in his senses will believe.

**Relative Colored and White vote in Hampton County from the Census of 1880—Additional proofs of Bourbon Frauds in Tillman's returned vote.**

In Hampton County, by the census of 1880, the white males over twenty-one years of age were 1,381; colored, 2,447; total, 3,828. The vote as returned by the secretary of state was; for Tillman, 2,590; Smalls, 1,575; total, 4,165, showing an excess of votes over voters in the county of 337; and the record evidence in this case shows that in this county hundreds of colored men were deprived of the right of suffrage. If the vote for Mr. Tillman was properly returned and counted he must have received in addition to the entire white vote 1,209 votes from the colored voters.

**Relative aggregate Colored and White Voting Population in the Fifth Congressional District—No Eloquence or Rhetoric can add Force to the Figures' Story of Fraud.**

The census shows the aggregate voting population in these five counties to be as follows: White, 13,644; colored, 21,155; total, 34,799. The vote as returned by the State board and counted was 37,622, and the voters who were deprived of the right to vote in these five counties, and the votes not counted in precincts where they were cast, are 4,525, showing an excess of votes over voters on the returns as made of 7,348. In

these five counties the white voters were 13,644, Mr. Tillman's vote 22,935, and if Mr. Tillman received the vote with which he has been credited he must have received the votes of 9,291 colored voters.

It is unnecessary to dwell upon these statistics; they speak for themselves. No eloquence or rhetoric can add force or weight to their story. They must be sufficient to convince any fair-minded man that the vote returned for Mr. Tillman from these five counties and upon which his credentials were based was the result of frauds of the most stupendous character.

**Aiken County—Vote of County as Corrected by House Committee on Elections.**

The corrections and changes made by the committee in Aiken County are as follows:

Tillman's.....	4,980	
Deduct Aiken Court-House....	719	
Deduct Silverton .....	225	
Deduct Creed's Store.....	231	
Deduct Windsor .....	396	
	<hr/>	1,571
		3,409
Smalls' .....		1,467
Deduct Aiken Court-House....	393	
Deduct Silverton .....		
Deduct Creed's Store .....	16	
Deduct Windsor .....	10	
	<hr/>	409
		1,058
Tillman's majority.....		2,351

**Rioting and Fraud at Aiken County House and throughout Aiken County—Polls Barricaded against the Republican Voters—Brutal and Bloody Assaults—Cayenne Pepper Thrown into the Eyes of Republicans—The Palmetto Rifles Support the Bourbon Ruffians at the Polls—Cannon Trained on Republicans—Republicans Stabbed and Whipped with Switches.**

This poll was properly rejected by the committee. The evidence in regard to the proceedings at this poll is quite voluminous and from the lips of eight or ten persons who witnessed them. A barricade was erected in front of the poll, the north end intended to be the place of entrance and the south end the place of exit. A large number of Republican voters congregated around the north end, but were not permitted to enter, the Democrats holding sticks across the entrance to prevent them; while the whites entered the southern end, intended for the exit, without objection. Colored men attempted to go there, but were driven back. A large number of colored Republicans stood all day long attempting to reach the box to deposit their tickets, and at the close of the polls 400 Republicans went away without voting.

About nine o'clock in the forenoon a



riot was inaugurated, a number of Republicans in the crowd were cut, and Cayenne pepper was thrown in the eyes of the Republican voters gathered at the end of the barricade guarded by Democratic sentinel aforesaid.

The Palmetto Rifles, carrying arms, were marched to the polls, and a cannon was trained upon a body of Republican voters. At this precinct an aged colored man, when attempting to vote, was brutally stabbed in the breast, and the scar is still there from the wound which was made by the red-shirter's knife. At Summer Hill fraudulent ballots were stuffed into the box, a Republican speaker beaten by the crowd, and but one Republican permitted to vote. At Windsor the life of the Republican ballot vender was threatened; he was compelled to leave, and no ballots were allowed to be distributed. At Hankerton's Store the box was stuffed with fraudulent ballots, and the clerk, who was keeping a list, was dragged from the poll and whipped with switches till he bled. At Creed's Store the lives of colored voters were threatened, and fraudulent votes put in the box. At Kneese's Mill a Democrat took from a Republican supervisor his poll list and destroyed it. At Jordan's Mill the Republican supervisor was not permitted to see the box opened before voting commenced. Now, the law of South Carolina requires that the box should be publicly opened, and opened, too, in the presence of the supervisor, who goes there to protect the rights of the minority; or, in this case, perhaps, to protect particularly the rights of the colored voters; so that if there should be any attempt in advance to crowd the box with tissue ballots or fraudulent votes, as was done throughout the district, the supervisor would have an opportunity to observe and guard against such fraudulent practices of that kind.

#### **Barnwell County — Corrected Vote of County.**

The changes made in Barnwell county from the votes as returned and counted by the State board are as follows:

Tillman's vote as returned by State board . . . . .	5,422
Deduct Allendale . . . . .	700
Deduct votes illegally drawn at Ferril's store . . . . .	22
	<hr/> 722
Leaves Tillman's vote . . . . .	4,700
Smalls' vote as returned by State board . . . . .	2,445
Add vote not counted at Ferril's store . . . . .	22
	<hr/> 2,467
Deduct Allendale . . . . .	36
	<hr/> 2,431
Making Smalls' vote . . . . .	2,431
And Tillman's majority . . . . .	2,269

#### **Bourbon Ruffians armed and in Red Shirts Bulldoze the Republican Voters of Barnwell County—the U. S. Supervisor, Refusing to Sign the Fraudulent Returns, is Forced to Flee from the County—Barnwell the Bloody Scene in 1876 of the Murderous Ellen-ton Riots.**

In the county of Barnwell, Allendale precinct was the only one rejected, and that because the evidence sustained the claim of the contestant that the violence and intimidation at this poll drove away Republican voters and prevented them from casting their ballots.

Allendale is a strong Republican precinct. The vote counted and returned was 700 for Tillman, 36 for Smalls. The evidence shows that a large number of Republicans assembled with the Republican tickets in their hands, variously estimated from three hundred to five hundred. Two hundred and fifty, being all members of one Republican club, were there together for the purpose of voting. A crowd of Democrats, some of them armed and clothed in red shirts, kept at the door and on the piazza, thus obstructing the passage to the voting place. If a colored man attempted to enter he was asked what ticket he intended to vote, and if he would reply, "the Republican ticket," he was boldly told he could not vote that ticket there. He was pushed from the piazza, spat upon, beaten, and knocked down by these men who had possession of the passage-way to the polls.

In the early part of the day assurances were given that the colored men could vote after twelve o'clock, but they met with the same obstructions and the same brutal treatment after that hour as before. The United States supervisor attempted to keep a poll-list; it was impossible to keep it accurately, and he abandoned it about one p. m. He was requested to sign the poll-list and return that night by the Democrats, but refused to do so. A crowd of Democrats visited his house about one o'clock on that night and demanded that he should get up and sign the list, but he refused; then they cursed, threatened to break down his door, and shot around his house, alarming his family. The next night these same things were repeated, and he concluded, for his own safety, it was advisable for him to leave, and he did so, remaining away several weeks. The evidence as to this precinct shows, beyond contradiction, that a fair and honest vote did not take place, and the poll should be rejected.

At Ferril's Store, when the votes were counted, there were found to be in the box 22 votes in excess of the names upon the poll-list, and in drawing out the excess the manager was not blindfolded but looked into the box and

drew out 22 Republican votes. The officers at this precinct were all Democrats, and, from the evidence the fraudulent votes were Democratic votes. To purify this poll and to correct the fraud perpetrated in drawing out the excess, 22 votes should be taken from the contestee and the same number added to the contestant.

This county was the theatre of the Ellenton riot, which shocked the American people by its atrocities in 1876, and the colored people are still haunted by its memories, and live in constant fear of its repetition. So strong and intense is this feeling that they hardly dare act, speak, or think as independent freemen. It pervades to a greater or less extent the precincts of Robbins, Millitts, Mixon's Mills, Allendale, Baldock, Barker's Mills, Williston, Elko, and Buford's Bridge. At Barker's Mills and Mixon's Mills the two political parties are about of equal strength; all the others named are strong Republican precincts.

**Red-shirted Bourbon Ruffians at Night prior to Election rode through Barnwell County, making Night Hideous with Hellish Orgies, firing guns, assaulting the Cabins of and Shooting Colored Voters—The South Carolina Plan—Colored Voters Intimidated and Disfranchised—Bourbon Ruffians declare, "Damned few Republicans polled to-day"—"Give them Hell!"—U. S. Supervisor Menaced with Death.**

At the election in 1880 this condition of the colored people seems to have been thoroughly understood. For several nights prior to the election the red-shirted Democracy rode around through many of the precincts, making the night hideous with their hellish orgies, firing guns and pistols, knocking at the cabins of the colored men, and making threats of various kinds, for the purpose of preventing them from voting the Republican ticket. Colored men on the way to the polls at Red Oak precinct, within half a mile of that place, were met by eighteen armed men, who shot among them or over them, and the colored men fled in different directions, some of them sleeping in the woods for several nights. The night before they visited the house of Mr. Gifford and broke down the door, and threatened, if he went ten steps from his house, they would shoot him as they had Simon P. Coke. By such threats as these the neighborhood was greatly alarmed, and many of the voters dared not attempt to exercise the right of suffrage.

At Graham's the train from Augusta brought down a crowd of Democrats armed with pistols, cursing and yelling; all voted, one of them three or four times. At Elko, on the day of election, the red-shirted Democracy were out in

great numbers, armed with pistols, and the Healing Springs Democratic club came, yelling and cursing as they came up. The object of these demonstrations was to alarm the colored voters, and it succeeded, as but few voted, and the statement of Mr. Nixon, one of the Democratic managers, that there would be "d—d few Republican votes polled there that day," proved to be literally true. At Baldock the red-shirters were out Thursday, Friday, and Saturday nights prior to the election, riding up and down, cursing, and discharging guns and pistols, openly proclaiming that they were "going to keep the d—d Republicans away from the polls and give them hell."

On Saturday night before the election they left a coffin, cut from pasteboard, at the house of Mr. Gill, United States supervisor, which had the following persuasive inscription upon it:

Alex. Gill, if you don't quit your ways and join the Democracy you shall be in clay in a few days.

#### **Colleton County—Corrected Vote of County.**

The committee made the following corrections in the vote of Colleton County:

Tillman's vote as returned by State board of canvassers.....	3,475
Deduct Walterborough.....	90
	— 3,385
Smalls' vote as returned by State board of canvassers.....	2,776
Add Jacksonburgh.....	618
Add Horse Pen.....	276
Add Walterborough.....	90
	— 3,760
Smalls' majority.....	375

The changes in this county were to count the vote at Jacksonborough and Horse Pen, which were illegally rejected by the county and State canvassers, and deduct 90 votes from the contestee at Walterborough precinct and credit the contestant with a like amount. This was one of the counties in which there were no precinct returns and poll-lists sent up by the county canvassers to the State board of canvassers, and in which the statement of the State board was made in the aggregate and not by precincts. The committee, therefore, was compelled to resort to the testimony of persons present to ascertain the necessary facts.

**Violence, Intimidation, and Fraud ruled throughout Colleton County—Cheating attained its Acme at Jacksonborough—Heavy frauds in favor of Tillman.**

While fraud, violence, and intimidation was the rule and a peaceable election the exception at the great majority of the polls in this district, the very



acme of cheating was attained at the precinct of Jacksonborough. In this locality there had originally been five precincts to accommodate the large number of voters living in that vicinity. Three of these precincts had been abolished by the Legislature of the State, which compelled all the voters in that vicinity to go to Gloversville and Jacksonborough. The managers of these polls were all Democrats, and evidently by a preconcerted plan between the commissioners of election and the managers of these two precincts the poll was not opened at Gloversville, and the smallest sized box recognized by the law was sent to the Jacksonborough precinct. The election here was quiet, and every person, without distinction of color, was permitted to vote.

Large numbers were necessarily driven to this poll by the abolition of the three boxes above referred to and the refusal to open the poll at Gloversville. By one o'clock in the afternoon the Democratic managers of election announced that the box which had been furnished them by the commissioners was full, and that as a necessity the polls must be closed. To this the Republican United States supervisor protested, and urged that another box be used for the purpose of receiving the ballots of those present and of others who would necessarily be compelled to report at this poll on account of the Gloversville poll not having been opened. The managers, however, being in control, peremptorily closed it and refused to receive any further votes. On the request of the Republican United States supervisor that the ballots be counted (and his record showed that 618 persons had voted) the commissioners, well knowing that but few, if any, Democratic votes other than their own had been deposited in the box, refused to count them on the ground that they had no authority to do so, the poll having been closed before the legal time, six o'clock p. m.

In accordance therewith, and against the protest of the United States supervisor, the box, with the statement of the managers why it was closed and the reason it was not counted, was sent to the county canvassers, and a Mr. Holmes, the only Republican on the board of election commissioners, testified that this precinct was rejected because the poll had been closed before six p. m.

The evidence further shows that the contestant lost between 300 and 400 votes by the failure of the managers to open the Gloversville poll, and between 600 and 700 votes by the failure to open the Summerville poll; and that fully 100 votes in addition to the 618 votes heretofore referred to were lost to the contestant by illegally closing the poll at Jacksonborough.

**Lawlessness and Violence reigned Supreme throughout Edgefield County—The Grossest Frauds Perpetrated—Red Shirt Bourbon Ruffians, Armed with Guns and Pistols, patrolled the streets, Firing, Yelling, and Assaulting Republican Voters—The only Poll in Court-House Building Guarded by Armed Bourbon Ruffians—Other Democratic Roughts Armed with Stones and Brickbats swarmed Outside—Republicans in Attempting to Vote subjected to all manner of Personal Violence, Scoffs and Jeers—Edgefield the Bloody Scene of the Hamburg Massacre of 1876—The Colored Voters, remembering the Hamburg and Ellenton Massacres, were Intimidated—2,000 Republican Voters Disfranchised.**

A spirit of lawlessness and violence seemed to reign supreme in this entire county, and the grossest election frauds were committed in various election precincts. Edgefield Court-House was the most important precinct in the county.

At this place, above all others, being the home of one of the United States Senators from that State, we would naturally have expected a free vote and a fair count. Owing to the threats which the colored Republicans had heard in that county prior to the election, and remembering the massacres of Hamburg and Ellenton in 1876, they determined as largely as possible to assemble at Edgefield Court-House to vote on November 2, 1880. Under the law of South Carolina a legal voter can vote at any precinct in the county. In accordance with this, on the night previous to the November election, large bodies of the colored voters of Edgefield County commenced congregating at Edgefield, and by early morning of November 2 from 2,000 to 2,500 colored voters are estimated to have been present.

A prior formed purpose to disregard the law in order to defeat the rights of the majority was boldly carried out. A crowd of mounted men, attired in red shirts, armed with pistols or other weapons, rode to and fro through the streets, discharging fire-arms, yelling, and resorting to other methods calculated to intimidate the colored voters.

The polls were held in the court-room up stairs. The doors were double, each eighteen inches wide; one was open, the other securely fastened. This entrance was under a Democratic guard and a hundred or more Democrats flanked the stairway and approaches thereto, and the colored Republican who had the temerity to pass through was the subject of scoffs and jeers, insults and personal injuries on his way to the poll, finding his clothing cut upon his escape from the crowd. The porch over the outside entrance swarmed with

Democrats armed with stones and brick-bats.

**The Edgefield Rifles, a Military Company, formed Opposite the Poll—Bourbon Chairman of Democratic County Committee early Ordered the Rifles to the Poll—Same Bourbon Chairman Ordered Other Armed Democratic Clubs to the Poll—Capt. Wise, with his Armed Company, Voluntarily Reported at Edgefield—Old Bourbon Cry "No Military Interference at the Polls"—Military Ordered to Poll because the Republicans "could not Stand the Sight of Fire-arms"—Such an Election Farce a Travesty on American Institutions.**

Just across the street from the polling place was the armory of the Edgefield Rifles, a State military company. Early in the day D. R. Durisoe, the chairman of the Democratic county committee, ordered Captain St. Julien Bland, who was in command of this military company, to call his company together and assemble at the armory forthwith, which he did, the company meeting just across the street from the polling place, armed and fully equipped. In addition to this, this same Democratic county chairman sent messengers to Landraum's store, Trenton, Johnston's, and Cheatam's store for detachments of other armed Democratic clubs to come to Edgefield forthwith.

Mark you, this is the testimony of the Democratic chairman himself. For what purpose the Edgefield Rifles were ordered to their armory by the Democratic chairman and armed themselves in plain view of the polls? For what purpose did the Democratic chairman send messengers to other points in the county requesting the immediate presence of armed Democratic rifle-clubs? For what reason did Dr. G. W. Wise, the commander of the Democratic club of Trenton, leave his own polling place with all his command that had not already gone to Johnston's and reported at Edgefield with the armed company?

Is not this the same Democratic party which protested against bayonets being exposed at the polls? Is not this the same Democratic party which, at the extra session of Congress over three years ago, attempted time after time to vote riders on appropriation bills to prevent even one United States unarmed officer from standing by and witnessing an election? Why were these armed men ordered there? Had a single colored man assaulted a white Democrat? Were not these 2,000 colored men, although assembled for a lawful purpose, and although prevented from exercising their right of franchise, were they not peaceable, and orderly and quiet;

and when kept from approaching the polls did they create any disturbance? The answer as to the presence of this Edgefield rifle company and of this armed Democratic club from Trenton is given by one R. T. Anderson; a Democrat, and a witness for the contestee in this case, who states as follows:

As to the explanation by some of these parties that were in the hall (the Edgefield Rifles) they knew full well the Republicans could not stand the sight of fire-arms.

This Democratic witness knew full well that the colored Republicans, remembering Hamburg and remembering Ellenton—remembering the massacres of 1876—could not stand the sight of fire-arms. He reasoned well, for, notwithstanding that it was the home of a United States Senator, of all those 2,000 voters that assembled at Edgefield on the morning of November 2, 1880, to vote, but 15 ballots were cast by them that day and but 11 counted. To call such a farce an election is a travesty on American institutions. To permit any man to hold a seat in this House by such a fraud, by such intimidation, by such violence, would be a reflection on the House and every member in it.

**Red-Shirt Bourbons, Armed with Guns, Swords, and Clubs, at other polls in Edgefield County, perpetrate every act of Brutal Violence—They made the Republicans "Smell Hell Before Night"—U. S. Supervisors Beat Over the Head with Clubs, their Commissions Wrested From Them, and forced to Leave the Polls under Threats of Death—Republicans Forced to Vote Democratic Tickets with Pistols at their Heads and under Threats to Blow Out their Brains—Colored Voters Shot and Killed—Intimidation, Violence, and Fraud.**

Witnesses tell us that at the Mount Willing precinct similar scenes of violence were enacted, that from 180 to 190 colored voters were kept away from the poll.

The red-shirters were standing around with clubs and pistols keeping the colored Republicans back and admitting the Democrats. About two o'clock a crowd of red-shirters came up and began beating the colored Republicans with clubs and sticks; one pistol was fired, and after that a great deal of firing took place.

At the Meeting-House precinct the supervisor, who was a Republican, was not allowed to act in his office, struck three times over his head, one of the Democratic leaders at the same time saying to him that he would "smell hell before night."



At Chatham's Store precinct a colored Republican voter was seized by an armed Democrat who beat him, presented a pistol, and threatened to blow his brains out if he did not vote the Democratic ticket. To save his life he complied with this brutal demand.

At Talbot's Store the entrance to the room where the votes were received was crowded by Democrats in such a manner as to prevent Republicans from entering, and the supervisor states that twenty-five colored men only voted, one hundred and fifty being deterred by threats from making the attempt. At Red Hill the Republican supervisor had his commission forced from him, and he was told to leave or a hole would be put through him. We learn from the testimony of the supervisor that at Landrum's Store seventy-six more ballots were found in the box than there were names on the poll-list, and to prevent an investigation the supervisor's poll-list was forcibly taken from him. At Johnston's the Republican supervisor remained till nearly three o'clock, when he was seized by a red-shirter, who, with profane and threatening language, compelled him to leave the precinct. It was at this poll that Democrats were riding up and down during the day, waving clubs and swords and discharging pistols and guns. One colored man was shot in the head and killed, and out of the seven or eight hundred colored men who came to this precinct to vote not over thirty of them were permitted to cast their ballots.

#### Hampton County—Corrected Vote of County.

The committee made the following corrections in the vote of Hampton County as counted by the State board:

The vote of Tillman as counted	
by State board.....	2,590
Deduct Brunson.....	336
Deduct Early Branch.....	316
Deduct Beach Branch.....	120
Deduct Lawtonville.....	340
Deduct Barnesville.....	459
	— 1,571
	1,019
The vote of contestant as counted	
by State board.....	1,575
Deduct Brunson.....	19
Deduct Early Branch.....	87
Deduct Beach Branch.....	
Deduct Lawtonville.....	174
Deduct Barnesville.....	129
	— 409
	1,166
Smalls' majority.....	147

The committee, after careful consideration of this county, recommended that the precincts of Brunson, Early Branch, Beach Branch, Lawtonville, and Barnesville be rejected on account of the intimidation and violence practiced in these several precincts.

**Ballot-box Stuffing at Brunson, Hampton County—Raid on Night prior to Election of Red-shirt Bourbon Ruffians into Brunson, cursing, yelling, Hurrahing for Hancock, and Damning Garfield—Firing pistols, and Exploding Powder under an Anvil, which Sounded like the Report of a Cannon—Intimidation the Bourbon Role—U.S. Supervisors advised to Skeddaddle.**

At Brunson precinct, Hampton County, where only 19 Republican votes were returned by the Democratic managers, 588 ballots were put in the box against 350 names on the poll-list, and contestee's witnesses admit that 238 more ballots were found in the box than there were voters. U. S. Supervisor E. A. Brabham thus testifies:

Q. Was the election quiet and orderly?

A. It was not. On the evening previous to the day of election several crowds of mounted red-shirters rode into the town of Brunson. Directly after dark they gathered around the depot of the Port Royal and Augusta Railway. They whooped and yelled, hurrahed for Hancock, and cursed Garfield. They fired off guns, and exploded powder under an anvil, which explosion sounded like a cannon, and was heard many miles from here. They kept up this shooting all night, and until near sunrise the next morning. I went to the poll at about daylight, and found a great many Democrats there, many of whom seemed to be under the influence of whisky, and seeming to have taken charge of the poll. It seemed to be the purpose of the Democrats to make as much show of violence and force as possible, but not to hurt any one; but when they got their men drunk for the purpose, they could not control them. They knew that the Republicans, having been run over with horses, beaten with sticks, and shot with pistols at this poll on election day in 1878, would be afraid to come to this poll if there was any disturbance about it. They kept threatening to come to my house, which is about one hundred and fifty or two hundred yards from the depot, "and break in on me."

A prominent Democrat sent a colored man to my house with a message to me, saying that I had better go away from home; that those men at the depot had just agreed to come to my house after me, and that if they found me there they would injure or kill me. Two other Democrats came to my house, a few minutes after, and advised me to leave. I told them that I would go, but my family was here. I had no where to take them and would stay with them if I got killed. Shortly after this a crowd came; called to my gate, and said they wanted to see me. I refused to go out, and they left. A few minutes later another crowd came. They came in my yard, and knocked at my bedroom window, insisting that I should get up; that they wanted to see me. I refused to get up. They talked to each other awhile, and left. I heard one say "Let's go in;" another said "No." After the poll opened the Democrats whom I found there early in the morning kept up a good deal of noise, appearing to be drunk, and behaved very disorderly.

**Violence at Beach Branch Polls—No Republicans allowed to Vote—Republican Tickets Suppressed by Red-shirt Ruffians—"Halt, you Sons of Bitches, and Give us those Tickets, or we will Blow your Brains Out."**

At Beach Branch not a single Republi-

cau was permitted to vote; the Republican tickets were taken away from a party of Republicans by armed Democrats clothed in red shirts, by methods that would constitute highway robbery in any civilized community. One of the victims tells his story, and in this he is fully corroborated by his associates:

Wilson McTeer, being duly sworn, deposes and says:

Q. What did you do when you got to the poll?

A. We waited till about seven o'clock, and when we found there were no Republican tickets there, Frank Saxson, the president of our club, directed me to take three other men with me and go to Brunson in a hurry, and tell Mr. Brabham, the Republican county chairman, to send him some tickets. I took Govan Brooks, Toney Moss, and Edmund Riley, and we went to Brunson and got a package of about 1,200 tickets from Mr. Brabham, and started back to Beach Branch. We rode very fast. When we had got about three miles from Brunson, and at what is known as the Hammock Place, John Glover, a Democrat, overtook us, and ran his horse by us, and turned the horse across the road ahead of us, and said, "close up." Then eight other Democrats rode up to us with sticks and pistols in their hands, and said: "Halt, you sons of bitches, and give us those tickets. If you don't give them up we will blow your d—d brains out."

Q. Did you give the tickets up?

A. I did not have the tickets myself; but they seized hold on me, and was searching my pockets for the tickets. While they were searching me for the tickets, one of them said: "There is the son of a bitch that has them." Then they went to Govan Brooks. One of them held a pistol to his breast, and one held a club over his head, while the other put their hands into his pockets and took the tickets out.

Q. How were those Democrats dressed?

A. They were all dressed in red shirts, except one who wore a red bow.

Q. What did they say after they had taken the tickets?

A. They told us to go and not let them catch us back that way again or they would kill us.

**Drunken Violence of Red-shirt Bourbon Ruffians, armed and mounted, at Lawtonville polls—Blaspheming rebukes of Republicans by the Red-shirt Ruffians—They ride among Republicans with swords, clubs, and pistols—Republicans shot and cut—Ben Sheppard, an old man of Fifty Years, perforated with six balls—No Honest Election.**

At Lawtonville precinct some fifty drunken Democrats, clothed in red shirts, all armed, seemed to be the ruling spirits, and they prevented an honest and a fair election. Their outrageous conduct could not be better described than in the sworn testimony of their victims:

Personally appeared before me, Ben Sheppard, who being duly sworn, deposes and says, to wit:

Question. What is your name, your age, your occupation, and where your place of residence?

Answer. Ben Sheppard is my name; my age is fifty-four years; am a farmer; and I live at Dr. Ramsey's place, Lawtonville Township, in Hampton County.

Q. How long have you lived there?

A. Was born and raised there.

Q. Where were you at the last election?

A. Was at the Lawtonville precinct.

Q. Was it a quiet election that day?

A. No, sir; they commenced a row there I suppose, as near as I can come at it, about eight o'clock a. m.; they kept quiet down for awhile, for about one and one-half hours, then started row again; then things went on until about four o'clock p. m., when they started it again. They threatened to fight the Republican party for voting; they rebuked us by every blasphemy they could think of; they were armed, every Democrat; most that I seen had from one to two pistols; then in the evening, at four o'clock, they rid off a piece and came back and rid right in among the Republican party with swords and clubs; then we tried to get out of the way, and in trying to get out of the way shot among us; I myself got six balls in me at that time, and another man, named Adam Patterson got shot. He and I were carried home in a wagon together.

**Smalls' majority 1,486—The vote of the District purged of fraud, as ascertained by the House Committee on Elections.**

	Tillman.	Smalls.
Aiken.....	3,409	1,058
Hampton.....	1,019	1,166
Barnwell.....	4,700	2,431
Colleton.....	3,388	3,760
Beaufort.....	391	5,978
	12,907	14,393

Smalls' majority, 1,486.

**The Record in the Case the unaided work of the citizens of the District—Evidence remarkable from a District the Scene in 1876 of the Hamburg and Ellenton Massacres—Armed Militia at the Home of U. S. Senator Butler violently disfranchise 2,000 Legal voters amid every form of outrage—Republicans assaulted, shot, wounded, and killed—The body of a Murdered Republican left near the Polls as a warning to others—Sixteen U. S. Supervisors assaulted, beaten, obstructed in their Duties, or driven from the Polls—Intimidation General through the violence of Armed and Mounted Red-Shirt Bourbon Ruffians.**

Such is a brief review of the evidence in this case which decided the House in seating Mr. Smalls. The record which governed the House in this decision was made by the citizens of the fifth Congressional district of South Carolina themselves, unaided by any committee of either branch of Congress, and without assistance of any United States officer. The witnesses appeared before resident officials and were examined and cross-examined by counsel employed by the contestant and contestee, living in the immediate vicinity.



Although the evidence on the part of the contestant is not as full as it might have been, yet it is remarkable that, in a district which was the scene of the Hamburg massacre and the Ellenton riots of 1876, and which was subjected to the violence and intimidation which marked the elation of 1880 that testimony disclosing so much glaring fraud could have been taken at all.

At one poll, and that the home of a Senator who now sits in the United States Senate, more than 2,000 persons were prevented from voting. Armed militia drawn up near by commanded the ballot-box. At another precinct the messengers sent for the tickets were basely assaulted and the Republican tickets taken forcibly from them, the men who did it recognized, and no one of them called to explain away their action or their conduct. At another a colored Republican was killed near the polls, and his lifeless body left lying there as a warning to all others that such would be their fate if they attempted to vote the Republican ticket. At another five men were wounded with fire-arms, one of them carrying in his body at the time of taking the testimony in the case the marks of five wounds, which were exposed to the officer so taking the testimony. At many others, bodies of armed men were at the polls for the express purpose of intimidating persons from voting, while at some polling places mounted armed men rode through the crowds at the polls cutting them with sabres and driving them away.

At sixteen of the precincts in the district the United States Republican supervisors, who were appointed by a law passed by the Congress of the United States for the express purpose of witnessing the election and making a return as to Congress, were assaulted, beaten, obstructed, and driven from the polls; one of whom was followed into the swamps and has never since been heard of.

**Predetermined and well matured Plan by the Bourbon Democracy to capture the District—National and State Laws Defied—Public officials violate their sworn duties—Citizens disfranchised by intimidation—Ballot-boxes stuffed and vote fraudulently counted—Success of our Free Institutions depends upon the purity of the Ballot-Box—A Man or a Party who would obtain public position by such agencies should be branded as an Enemy to the Republic.**

All the facts and circumstances attending this election disclose a prede-

termined and well-matured plan by the Democracy to capture this Republican district. To attain that end, State and national laws were defied; public officers failed to perform their sworn duties; the right of American citizens to freely cast their votes and have them honestly counted were denied, and the exercise of that unquestioned right prevented by armed Democratic desperadoes. At a time and upon an occasion when peace, law, and order should prevail, outrages, anarchy, and disorder ruled supreme. Errors may sometimes occur in the administration of our election laws through the carelessness or ignorance of election officers; indiscretions may be committed in times of great excitement when intense party feelings are aroused, but these may be attributed to the imperfections and weakness of our nature. It is a source of profound regret that this charitable view cannot be taken of the striking revelations in this case.

The right of an American citizen to the elective franchise is too sacred to be denied. The purity of our elections is of vital consequence, and the success of our free institutions depends upon its preservation. The man who would obtain official position or the party that would achieve success by its violation should be branded as an enemy of the Republic.

## PART VII.

### Gerrymandering Extraordinary Illustrated by the Bourbon Democracy.

**Villainous Gerrymandering in South Carolina—Gerrymandered Map of the State—Maps of Districts Nos. 1 and 7—Their formation—Enormous size and Population of District No. 7.**

Mr. Horr, of Michigan, in the House, July 19, 1882, in reviewing the case of *Smalls vs. Tillman*, said:

I have here a map of South Carolina, showing the Congressional districts as they have just been arranged by the Legislature of that State. I will ask the Clerk to hold it up, so the members may all see the beauties of this scheme. [Here Mr. Horr exhibited a map of South Carolina, showing the outlines or formation of the respective Congressional districts of the State.]

Now, I claim, Mr. Speaker, that that map is a stump speech of itself, and an elegant one, too. Please follow me while I

point out some of its wonders. First, let me call your attention to the first district. It seemed for some reason that they desired to take into that district the city of Charleston, so they run down this narrow neck [indicating] and take in that city; and then with a still narrower strip they run up along the coast of the ocean forty or fifty miles here to McClellanville, and take in some two hundred Democrats in that village.

Let us next examine this seventh district. The district commences here at the southern border of the State, and includes all this large territory running up here to Charleston harbor, including these islands; and then crossing the harbor it runs along this strip between high and low water mark up to McClellanville, and then off into this queer shaped country. I have the bill here in my hand, and it makes the boundary line the high-water mark of this coast, so at high tide the connecting link is under water entirely. [Laughter.] Then take a look at the general outline of this district. See the indenture here; the zigzag there; the broad expanse here; the narrow strip there.

But you cannot understand these districts properly unless you see them standing out alone, each one by itself. I have here a diagram representing them to a dot. Here is District No. 7, in all its proportions. [Exhibiting a diagram by which the outline or formation of the district was shown.]

Now, you would not think that district possible unless you could see its mate, District No. 1. Here it is. [Exhibiting a diagram showing the formation of the district.]

They are not twins; but they do match each other beautifully. [Laughter.] You would have no use for this leg and foot on No. 1 if you did not have this boot in No. 7 for it to slip into. [Laughter.] Now, look at the enormous size of this District No. 7. It must include quite one-fifth of the State. I find upon examination that it contains over 187,000 people, being 69,000 more inhabitants than are in the smaller districts.

**Object of this Villainous Gerrymandering—Population of the respective Congressional Districts of South Carolina—Heavy Colored Majorities in all but Two—Formation of Districts Nos. 3 and 4—A Mathematical Point the Connecting Link where their Corners touch.**

What object could there be in making such an enormous district as that in territory and population? A short examination of the census tables will show. I will insert here a table showing the white and colored voters of each district:

District.	White.	Colored.	White majority.	Colored majority.
First .....	12,445	13,884	.....	1,439
Second .....	11,446	16,283	.....	4,837
Third .....	13,359	12,707	652	.....
Fourth .....	17,670	16,985	685	.....
Fifth .....	11,805	12,669	.....	864
Sixth .....	12,480	13,468	.....	988
Seventh .....	7,695	32,833	.....	25,198
Total .....	86,900	118,889	1,337	33,326

You see by that table there are 25,198 more colored voters in that seventh district than there are white voters. In that first district there are only 26,329 voters; in the fifth district only 24,474, while in this marvelously shaped seventh there are 40,588 voters! Thus, you see, this game becomes apparent. They started out with this seventh district and run it in all directions, without regard to county lines, or town lines, or voting precincts, simply with one purpose in view—that of collecting into one district all the colored voters possible, and thereby preventing their votes from being felt in the other districts. And such work as that is called redistricting a State according to law!

Mr. DUNN. Is that evidence in this case?

Mr. HERR. It is a part of the evidence, and before I get through I will show you a much stronger link between this proof and the case we are now trying than there is between the different portions of some of these districts. [Laughter.] If you do not believe it look at these diagrams of districts No. 3 and 4. [Exhibiting diagrams showing the formations of districts Nos. 3 and 4.]

You will notice that the only connecting link between the two portions of this third district there is a mathematical point where their corners touch.

**Extract from the Gerrymandering Act of South Carolina.**

For the edification of the House let me read from the bill, a certified copy of which I hold here in my hand, the description of this remarkable first district:

The first Congressional district to be composed of the county of Charleston, except James Island, Folly Island, Morris Island, and the islands lying between them; the lower harbor of Charleston Harbor and the ocean coast line from and below high-water mark; the towns of Mount Pleasant and Summerville, and so much of the parish of Saint James, Goose Creek, as lies between western track of the South Carolina Railway and the Ashley River in the county of Berkeley, and below the county of Colleton; the townships of Bells, Burns, Conn, Dorchester, George, Graham, Heyward, Roger, Sheridan, and Verdier in the



county of Colleton; the townships of Branchville, Caw Caw, Caw Castle, Edisto, Elizabeth, Goodland, Hebron, Liberty, Middle, New Hope, Orange, Union, Willow, Rocky Grove, Zion, in the county of Orangeburgh, and the county of Lexington.

How does that sound for the one Congressional district? And the description of the seventh district is like unto this—only more so. Why, sir, this bill not only divides counties, but it splits up townships and even sunders voting precincts, so that the people of one polling place will be compelled to vote for Congressmen in different districts. What is all this for? Do they seek to have two or three ballot-boxes at each place so that they can more readily use a double set of these tissue ballots? Is that it? Or is it simply an attempt to disfranchise a large number of the colored voters?

**Gerrymandering in Ohio under the Democracy—Bad as it was it was Gerrymandering simple and pure—The South Carolina Job pure and simple villainy—Forced to Tunnel under Charleston Harbor to connect its parts—Will South Carolina blush at such villainy?**

Mr. ATHERTON. I wish to ask the question whether it is any more unfair in South Carolina to make districts of that kind than in the case of the seventeenth district of Ohio? I believe it is the seventeenth district.

Mr. HERR. Do you mean the one my brother is about to be elected from? That is the fourteenth. [Laughter.]

I have not the maps of the various apportionments heretofore made in Ohio before me, but I will guarantee that if you will look them up you will find that the worst job of that kind ever done in that State was done by the Democrats in the last decade; by far the worst looking map of that kind ever made in that State was made at that time by you Democrats. [Laughter.] You know that, Judge.

Mr. ATHERTON. Not as bad as this one I have mentioned.

Mr. HERR. Oh, yes, indeed! It was a great deal worse. But you may take that map, as bad as it was, and place it by the side of this one of South Carolina, and while the Ohio map was the worst the Democrats of that State could do, you will find they confined themselves to gerrymandering simple and pure, while this South Carolina business is pure and simple villainy. [Applause on Republican side.]

The men who would prepare such a map as that, who would divide townships, split in two precincts—worse than that; here in this seventh district, in

Charleston Harbor, in order to make a land connection you are compelled to tunnel under that harbor. [Great laughter and applause.]

Mr. ATHERTON. Is it any worse to disfranchise 50,000 people in South Carolina than 50,000 Democrats in Ohio?

Mr. HERR. Let me assure my friend from Ohio that no such outrage as this has ever been perpetrated in his State. You cannot find on the face of these entire United States another such attempt to disfranchise an entire race of people as is shown by this recent division of the State of South Carolina. The gentleman from South Carolina [Mr. Evins] the other day said to me that South Carolina had never yet done anything of which she was ashamed. This map was not at that time made. Can the gentleman repeat that remark now? [Applause on the Republican side.]

Mr. UPDEGRAFF. There is in Ohio no Congressional district which bears any resemblance to that South Carolina district, and no one not composed of contiguous counties without any division of counties, townships, or precincts.

Mr. Herr subsequently said:

I want only a moment simply to show the gentleman from Ohio, [Mr. Atherton,] who took me unawares as to the fourteenth district of Ohio, which my brother may represent in the next Congress. My friend Dawes from that State has furnished me a diagram here showing the exact shape of the district as it now is. Just look at it. Simply four entire counties in one square, solid chunk. There. [Exhibiting the diagram.]

Now, to put on the county of Holmes, which my friend Atherton claims naturally belongs there, would make the picture like that. [Exhibiting a diagram.]

He must have become so familiar with Democratic districting that a district does not look natural to him unless it has one of those prongs on it. [Laughter.] As it now is it is a square, shapely district.

**Even Precincts, and Townships divided in this extraordinary Gerrymandering Villainy—Extract from South Carolina law providing for their division—District No. 7 formed to embrace most of the Colored Voters in Eastern part of State—Its crooked length runs 250 miles up and down the coast.**

Mr. EVINS. He [Mr. Herr] stated awhile ago that in South Carolina we have divided precincts and townships. Now the gentleman is mistaken. No

precincts are divided. In South Carolina the counties are usually double or triple the size of counties in other States and a number of townships have been cut off. \* \* \* \*

Mr. MACKEY. My colleague says that no precincts are divided. Mount Pleasant precinct, in Berkeley County, was divided.

Mr. EVINS. I have no knowledge of such a thing; and of course, while I may be mistaken, I do not believe that it is done.

Mr. MACKEY. I could name a dozen which have been divided.

Mr. HERR. If you have not divided precincts and townships, pray what did your Legislature mean by their bill? Let me read the exact provision of the law framed by your Democratic Legislature. Listen to sections 2 and 3 of this very bill which divided up the State into these districts and made these diagrams possible:

SEC. 2. In every case in which under the provisions of this act the townships or parts of townships of any county may not all be in the same Congressional district, it shall be the duty of the proper board of county canvassers of such county in canvassing the votes of said county to report separately the results of the vote of such townships or part of townships for the Congressional district to which they may respectively belong.

SEC. 3. In any case in which a voting precinct may form part of more than one Congressional district, if no other provision be made by law the commissioner of election for the county in which such precinct is situated shall provide for such precinct separate boxes for every Congressional district within which the said precinct may be, and each voter at such precinct shall deposit his ballot for member of Congress in the box provided for the Congressional district within the limits of which said voter may reside.

Mr. EVINS. I presume that has reference exclusively to county officers.

Mr. HERR. I beg the gentleman's pardon, that is not what it says. It expressly states Congressional districts; and these separate boxes have nothing to do with county matters, nor is it possible for the law to apply to anything except elections of Congressmen. It seems beyond dispute that the makers of this law at least feared they had divided towns and voting precincts, else no such provisions would have appeared in their bill. Why, look again for a moment at the diagrams of districts No. 1 and No. 7!

For some reason they desired to take in Charleston in one end of No. 1. That split the territory of No. 7 plumb in two. It would seem that it had already been determined that No. 7 should include most of the negro votes in the east half of the State. To do that they must run the district two hundred and fifty miles up and down the coast and jump the

Charleston and McClellanville strip of No. 1, which runs its crooked length entirely through the seventh district. These men do not stop at trifles. The strip of territory and the constitutional barrier are both passed at a single bound, and No. 7 is formed, taking in a majority of over 25,000 negro voters and a population of 187,600 souls.

**District No. 7 embraces 40,000 more People than the ratio of the State, and 69,000 more than the adjoining district—Formed to gather within its crooked and indented Borders as many as possible of the colored voters.**

Mr. HERR. My friend from Ohio claimed that his district includes a surplus of 5,000; but here we have a district with nearly 40,000 people in excess of the regular ratio of the State and 69,000 more than the adjoining district, and built in that way simply to gather within its crooked and indented borders as many of the colored voters as possible.

**Such villainous Gerrymandering impossible under an honest execution of Apportionment Act of last Congress.**

Mr. HERR. The apportionment bill which passed the House at this session requires districts to be made from contiguous territory and as nearly as practicable equal in population. And let me say that any set of men who would try to faithfully and honestly execute that law as passed could never make such districts as those we are now considering.

**This villainous Gerrymandering part of an infamous Bourbon plan adopted immediately after the passage of the Reconstruction Acts for the purpose of creating a Solid South—Part of a plan, the principal Agents of which were the Ku-Klux, Tissue ballots, Intimidation, Red-shirt brigades, and Shot-gun companies—So long as the South practices such tricks and encourage such agents, so long will there be a Solid North against it.**

Let me repeat to you gentlemen that the North will be kept solid just so long as you insist upon these methods of destroying the votes of the loyal people of the South, just so long as you continue to practice that kind of trickery. But you ask what has all this to do with the case before the House? Let me tell you. These cases show that you men of the South are simply carrying out a plan which you inaugurated



among yourselves immediately after the reconstruction acts were passed. The moment we had forgiven you for the part you took in the rebellion and had given you even the right to set here as law-makers of the land, you commenced at once—and South Carolina was conspicuous among those who started this plan—Isay you commenced by every conceivable means, by kukluxism, tissue ballots, intimidation, red-shirt brigades, and shot-gun companies, to prevent the voice of her loyal people from being heard, and to prevent the colored men in your States from having any voice in choosing their rulers.

## PART VIII.

### **Grand Questions for the Solution of the Nation— Shall the majority rule? —Shall the Constitution and the Laws be enforced, or the Bourbon Minority be allowed to rule through Lawlessness and Fraud?**

**The Questions of To-day—How to secure and record a Free Ballot and a Fair Count—The attitude of the Democracy—It has sustained these Frauds at the South—It defended Chalmers in Mississippi, Wheeler in Alabama, Finley in Florida, and Dibble and Tillman in South Carolina—Has it ever denounced or condemned the Hamburg Massacre or the Ellenton Riots of 1876?—those Terrible Agencies of a "Solid South?"—Shall this Reign of Perjury, and Fraud, and Tissue Ballots, and Violence, and Bloodshed usher in the Long Expected Democratic Era?—The duty of all who love their Country is to unite in guarding the Purity and Sanctity of the Ballot-box.**

Hon. Samuel H. Miller, of Pennsylvania, in the House of Representatives, July 19, 1882, said:

"To-day it is a question how to secure and record a free vote and a fair count from nearly twelve million voters. No difference of opinion should exist among honest men as to the propriety, nay, the necessity, of accomplishing this. How, then, shall we explain the attitude of the Democratic party on this question? When has it raised its voice against these frauds at the South? What Dem-

ocrat has denounced them? What Democrat in this House has raised his voice against them? If there is one let him stand up!

"Has not that party defended Chalmers in Mississippi, Wheeler in Alabama, Finley in Florida, and Dibble in South Carolina? Who of them has condemned the admitted illegal stuffing of the ballot-boxes of the South? Who of them has condemned the fraud and violence and outrages in the fifth Congressional district? Who of them denounced the Hamburg massacre of July, 1876, or the Ellenton riots of September, 1876? Who of them will rise in his seat and utter but a single word of condemnation for this carnival of fraud and outrage and wrong and violence? I pause for a reply. Is it possible that the once proud and powerful Democratic party is willing to accept power at any price of national honor and at any sacrifice of personal rights! Has it come to this, that the great Democratic party admits that a solid South is a prerequisite to Democratic success and that their Southern allies may choose their own means to make it solid?

"Shall this reign of perjury and fraud and tissue-ballots and violence and bloodshed on Southern soil usher in the long-expected Democratic era? God forbid! Let every man North, South, East, and West who loves his country, who cherishes her institutions, who believes that the ballot is our great Magna Charta, who is determined to transmit this Government of, for, and by the people in all its strength and purity to future generations, let all such unite in one common cause to protect the purity and sanctity of the ballot and guard it by the wisest and best legislation that statesmanship can devise. Then, and not till then, will the permanency of Republican institutions be assured. 'Then those who died on the hundred battle-fields of the rebellion shall not have died in vain; then this nation, under God, shall have a new birth of freedom; and government of the people, by the people, and for the people shall not perish from the earth.'"

**Wealth and Intelligence should not be governed by Ignorance and Poverty—The claim that Bourbonism embraces all the Wealth and Intelligence of the South an Unfounded Fraud—The Opposition to Bourbonism embraces a Large Percentage of the Wealth, Intelligence, and Moral Worth of the South—Equally true is it that the Bourbon Democracy embraces within its Ranks some of the most Ignorant and Depraved—Bourbons therefore dare not make Education or Intelligence a qualification of the voter.**

Hon. John Lynch, of Mississippi, in the House of Representatives, April 27, 1882, said:

"That the South is solidly Democratic at the expense of the purity of elections is no longer a disputed question. Every intelligent man knows it, and every candid man admits it. Many of those who defend the methods of Southern Bourbons do so upon the plea that wealth and intelligence ought not to be governed by poverty and ignorance, and as the wealth and the intelligence of the South are identified with the Democratic party, and the poverty and ignorance with the Republican party, it necessarily follows that Democratic success is essential to the ascendancy of the intelligent and property-owning classes. According to their reasoning, therefore, the country ought to countenance and justify fraud and violence on their part. Let us inquire into this a little. The claim that the Democratic party at the South embraces within its membership all of the wealth and the intelligence of that section has not the slightest foundation in fact. I know whereof I speak when I assert that the opposition to the Democratic organization, in the State of Mississippi, for instance, embraces within its membership a large per cent. of the wealth, the intelligence, and the moral worth of that Commonwealth. It is equally true that the Democratic party embraces within its membership some of the most ignorant and depraved of our population.

"True, the Republican party at the South has a larger percentage of the illiterate voters than has the Democratic party, but it is also true that both parties contain a sufficient number of each of these classes to prevent either from being accepted as the exclusive representative of either class. Under the existing order of things it is impossible to make wealth and intelligence the basis of party organization in any one of the Southern States. If it be true that the Democratic organization at the South is the exclusive representative of the wealth and the intelligence of that section, why is it they do not establish by law an educational or a property qualification for electors? I think I can inform the country why it is they have attempted nothing of the kind. It is because they know they cannot disfranchise the illiterate Republican voter without disfranchising at the same time and in the same way the illiterate Democratic voter. It is because they know they cannot disfranchise the poverty-stricken Republican voter without disfranchising at the same time and in the same way the poverty-stricken Democratic voter. This is the 'self-preservation' which they consider to be the 'first law of nature.'

**"The Colored Troops fought nobly!"—Bravery of the Colored Man and his Fidelity to Principle and Party—Although the Bondman's Yoke oppressed him, yet when the National Flag was trailing in the dust of Rebellion and Treason, he was loyal and True—He purchased an inheritance of Freedom upon the Battle-Field, and watered the Tree of Liberty with his Blood—He feels that he is part and parcel of the Nation—You may deprive him of Liberty and Life, of Family and Home, and the means of an Education, and a Living, but cannot deprive him of his Manhood and Principles—His rapid advance in Civilization—All he asks is, that his Ballot shall be Free and Honestly counted.**

Mr. Lynch also said:

"The impartial historian will record the fact that the colored people of the South have contended for their rights with a bravery and a gallantry that is worthy of the highest commendation. Being, unfortunately, in dependent circumstances, with the preponderance of the wealth and intelligence against them in some localities, yet they have bravely refused to surrender their honest convictions, even upon the altar of their personal necessities. They have said to those upon whom they depended: You may deprive me for the time being of the opportunity of making an honest living; you may take the bread out of the mouths of my hungry and dependent family; you may close the school-house door in the face of my children; yea, more, you may take that which no man can give, my life, but my manhood, my principles, you cannot have! [Applause.] Even when the flag of our country was trailing in the dust of treason and rebellion; when the Constitution was ignored, and the lawfully chosen and legally-constituted authorities of the government were disregarded and disobeyed; although the bondman's yoke of oppression was then upon their necks, yet they were then true and loyal to their government, and faithful to the flag of their country. [Applause.]

"They were faithful and true to you then; they are no less so to-day. And yet they ask no special favors as a class; they ask no special protection as a race. They feel that they purchased their inheritance when upon the battle-fields of their country they watered the tree of liberty with the precious blood that flowed from their loyal veins. [Loud applause.] They ask no favors; they demand what they deserve and must have, an equal chance in the race of life. They feel that they are a part and parcel of you, bone of your bone, flesh of your flesh. Your institutions



are their institutions, and your government is their government. You cannot consent to the elimination of the colored man from the body politic, especially through questionable and fraudulent methods, without consenting to your own downfall and to your own destruction. That the colored people of the United States have made and are making material progress in the acquisition of knowledge, the accumulation of wealth, and in the development of a high order of civilization are facts known, recognized, and admitted by all except those who are too blind to see them or too prejudiced to admit them.

\* \* \* \* \*

"The colored man asks you in this particular instance to give effect to his ballot, not for his sake alone, but for yours as well. He asks you to recognize the fact that he has the right to assist you in defending, protecting, and upholding our government and perpetuating our institutions. You must, then, as I am sure you will, condemn the crimes against our institutions, against law, against justice, and against public morals that were committed in this case."

**The Republican Party Enfranchised the Colored Man—It struck the shackles of Slavery from his Limbs and made him a Freeman—It placed him on the Grand Plaine of Citizenship and Endowed him with the Powers of Sovereignty—The great mass of Negroes South are Republicans—Its Mission now is to Protect them in their Liberties by Demanding and Enforcing an Untrameled Ballot and an Honest Count.**

Mr. Calkins, of Indiana, in the House of Representatives April 29, 1882, said:

"The Republican party demands that the ballots shall be counted as they are cast; that when an elector casts one ballot that shall be honestly counted as it was cast. That is the broad platform on which the Republican party stands. And this is the point made by the gentleman from Tennessee [Mr. Moore] when he said that the better people of the South were in favor of an honest ballot, and counting them according to the law of the land. The liberties of the people depend upon this, for the love of liberty is the love of law, and without law there is anarchy.

"In conclusion allow me to say, although it may not be safe to count all of the negroes of the South as voters of the Republican ticket, certainly not in election cases, yet, Mr. Speaker, that it is the universal testimony of almost

all the men who have spoken upon this subject, and of those who are competent to speak upon it, and the facts bear out the assertion, that the great mass of the negroes of the South are Republicans. In the very nature of things they ought to be; they must be at least for this generation.

"It was that party and the leaders of that party that gave them their freedom. It was that party, and it is the spirit that now animates those who act with it, that took from their limbs the shackles of slavery and made them freemen. It was that party that placed in their hands that badge of sovereignty that raised them from servitude to the grand plane of citizenship. [Applause.] It was that party that placed, not a tiara upon the head, but the ballot in the hands of a freeman. It was that party that has protected them. It is that party that has stood by them and aided them in all of their troubles. It is that party that will stand by them to the end, whatever may come. [Applause.] Not because they are negroes, but because in the very necessity of things leading to their freedom and clothing them with full citizenship; by the very force of circumstances and the protection which that party has thrown around them by its legislation, it has given pledge of its fealty to justice.

"Having obtained from that party every boon that could not have been granted them in their helpless condition, they naturally look to that party still for guidance, and it would be cowardly in us to desert them. But the time is coming—I hope it is near at hand—when, not only throughout the North, but in every part of the land, this same sentiment will be recognized as the intelligent sentiment of an enlightened nation.

"And I do now, assure my friends, that any liberal men in the South that reach out their hands to us who are imbued with this one grand sentiment will be heartily grasped from whencesoever they come. [Applause.] No matter what the past has been, it shall be no longer remembered. Give us a free vote, a fair count, an honest election. That is all we ask. If there has been bitterness between us we put it by as belonging to the past. But do not immolate truth and justice for party success. We stand for liberty and law. And I say to the negroes that the same spirit which secured them these blessings will educate their children, and the good people of all parties will stand by you in every forward step you take toward civilization and say, God bless you." [Great applause on the floor and in the galleries.]

## CHAPTER III.

## Usurpations of the Democracy through Lawlessness and Fraud.

*The right to a free ballot is the right preservative of all rights, and must and shall be maintained in every part of the United States.—Declaration 5, National Democratic Platform, 1880.*

## PART I.

**"Counting in" a Democratic Invention, and peculiarly a Democratic Practice — "Counting in" of James K. Polk as President in 1844—Of James Buchanan in 1857—The Disastrous Consequences to the Nation—The attempted "Counting in" of Samuel J. Tilden in 1876—A Brief Review of the immense Democratic Frauds in the Campaigns of 1844 and 1857 compared with those of 1876.**

In 1844, in the Presidential campaign of that year, James K. Polk, of Tennessee, was notoriously "counted into" the Presidency over Henry Clay, of Kentucky, who had been elected President fairly by the voice of the American people.

Who was Henry Clay? Who James K. Polk? Who the arch conspirators by whom Clay was robbed of the Presidency—by whom the American people were cheated of their choice as Chief Magistrate; and what the agencies or means by which a result so disastrous to the nation was accomplished? What the motives, or ends which influenced the agencies for a result so lamentable?

Just now, in presence of the Democratic design to seize the Presidency by Mexicanizing the Republic—by subverting the Constitution and the laws, by bull-dozing, by ballot-box stuffing, and by all other possible nefarious means—these inquiries are pertinent and pregnant ones. We will answer them as briefly as possible.

**The "Great Commoner." Henry Clay who would "rather be right than President!"—His unknown Democratic opponent, James K. Polk.**

For nearly half a century, in 1844, from 1797, when Kentucky was framing a new State constitution, Henry Clay had been active in the service of his country. A Senator of the United States in 1806, when only twenty-nine years old, and distinguished, even at that early age, for eminent ability and eloquence; unrivaled subsequently as the Speaker and leader of the House; equally brilliant in the Senate and Cabinet, in war as in peace, as a statesman, orator, and diplomat; pre-eminent for his chivalrous courage and lofty patriotism, and probably the only man of his time who could, without personal ridicule, have uttered his celebrated apothegm, "*I would rather be right than President!*"

Such was Henry Clay, "the Great Commoner," the Whig candidate for President in 1844; while his opponent, Polk, was so little known, his services to the nation of so little consequence, that upon his nomination by the Democracy the cry went throughout the Republic, "Who is James K. Polk?"

**The vote by which Clay was rightfully elected and entitled to the Presidency—The villainous Democratic frauds by which he was "Counted out."**

Henry Clay was the choice of the American people for President, and a decided majority of the votes actually cast was thrown for him. He was chosen President by the voice of his countrymen, and under the Constitution and laws—by all the rules of right—was entitled to the Presidency. None now doubt that. As a matter of history it is notorious. Nevertheless, in the House, in 1845, the electoral vote counted was: For Polk, 170; for Clay, 105; while Polk's minority on the popular vote was 24,119. The electoral colleges counted for Polk included that of New York (36), Pennsylvania (26), Georgia (10), Louisiana (6)—in all 78 votes—to all of which Clay was entitled by decided popular



majorities in all those States. Hence, add those 78 votes to Clay's 105, and deduct them from Polk's 170, will give Clay 183 votes and reduce Polk's to 92, making Clay's majority in the electoral colleges 91, the real result of the canvass, but which was defeated by the deliberately-planned frauds of the Democracy. Even strike from Polk's 170 New York's 36 votes, which State Clay confessedly carried by from 5,000 to 10,000 majority, will leave Polk but 134 electoral votes and give Clay 141, a majority of 7 in the colleges.

**Samuel J. Tilden's guilty complicity in the Democratic villainy!**

In all these villainous frauds, Samuel J. Tilden, in New York, aided by the notorious Isaiah Rynders and his cohort of unprincipled ruffians, and in Louisiana by the equally notorious John Sliedell, a New Yorker by birth, was, as a leading Democrat of the Empire State, the headquarters of the conspiracy for the defeat of Clay, an active and efficient co-worker. It is not strange, therefore, that Tilden, who in the campaign of 1876, simply attempted, in behalf of himself, to repeat the frauds of 1844 against Clay, should be chagrined at his failure, and that he and his partisans should so fiercely denounce fraud against the Republicans as they did in 1844 denounce Clay and the Whigs.

**Gamblers' conspiracy at the bottom of these grave Democratic crimes—And Tilden's guilty participation in them.**

That Henry Clay was entitled, and confessedly entitled, to the electoral votes of the States of New York, Pennsylvania, Georgia, and Louisiana—seventy-eight in all—which, by fraud, by the "counting in" process which the Democracy now charge against the Republicans, were counted for Polk, we have before us the proofs in a number of shapes. They cannot be questioned. In 1844 a combination of gamblers, through a system of betting all over the country in favor of Polk, as in the canvass of 1876 in favor of Tilden, secured by their winnings the means of defraying the expenses of the frauds. That was notoriously so in New York, Pennsylvania, and Louisiana. Horace Greeley, in 1848, in one of his "*Open Letters to a Politician*"—to Samtel J. Tilden—reminds Tilden of these grave crimes, and of his participation in them. All may see the details at length in Greeley's *Life of Henry Clay*, in Calvin Colton's, in "*The Whig Review*," and kindred works, of the wholesale and systematic villainy, the great crime by which the illustrious Clay was defrauded of New York and the other States—by agencies similar to those which, in 1868, in New York, Tilden "counted in"

Seymour and Hoffman when Grant and Griswold had carried the State.

**"Counting in" peculiarly a Democratic process—The bogus Democratic vote of New York in 1844—The Pennsylvania—Democratic frauds of that year.**

This "counting in" is peculiarly a Democratic process—an invention to which the Democracy, and only the Democracy, have a sole and undisputed right.

In New York, in 1844, of the popular vote Polk was in a minority of 10,706 votes. His plurality over Clay was only 5,106. That he obtained in the city and its surroundings by fraudulent naturalization, by repeating and ballot-box stuffing; by the manufacture and count, through such infamous agencies, of from 10,000 to 15,000 bogus votes. Some place the number as high as 20,000.

In Pennsylvania the frauds were equally flagrant. At the October election it was admitted by the best posted of the Democracy that Clay in the State was at least 10,000 votes stronger than General Markle, the Whig candidate for Governor. Hence, in order to beat Clay in November, Shunk's majority must reach 10,000. It was only 4,282, fully 6,000 less than the Democratic estimate as absolutely necessary to beat Clay. Nevertheless, Clay was beaten. His vote, as the Democracy had calculated, was 5,200 greater than Markle's, and was drawn principally from Shunk's; yet Polk's majority in the State was 6,332.

**The Democratic "model" which inspired Tilden's infamous Democratic secret circular of 1868.**

It was in this canvass in Pennsylvania that the model of Tilden's infamous confidential circular of 1868, by which he arranged the machinery for the fraudulent count of New York for Seymour and Hoffman, appeared as a secret circular, dated "Harrisburg, January, 1844," and signed by Edward A. Penniman and seventeen Democratic members of the Pennsylvania Legislature as an executive committee. It was distributed only among the faithful, with the injunction that its "contents should be made known only to such of our (Democratic) friends as will keep their own counsel and assist in organizing the party;" and urged that "it is very desirable that it should not appear in any newspaper or be communicated to our political opponents." It particularly enjoined the faithful "to secure a large turnout at the election of judges and inspectors (of the polls). This done, we shall have the vantage ground, and an easy victory will be ours." So it proved. By securing the judges and inspectors of the polls, the

count of any number by the Democracy was a very easy matter.

**The Democratic frauds that in 1844 gave Georgia to Polk.**

In Georgia, in 1844, and it may be so now, by the tax-list, the exact number of legal voters in the State could be readily ascertained. By that list there were in the State 78,611 votes. At the Presidential election 86,277 votes were cast. Even supposing, therefore, that every legal voter in the State attended at the polls—the decrepid, aged, sick, and dying—there was still a fraud of 7,666 votes. By whom were these polled? In the Whig counties less than the legal vote as shown by the tax-list was polled; but in the Democratic counties of Forsyth, Lumpkin, Habersham, and Franklin the lawful vote was 3,202. They returned a vote of 4,014 for Polk and 1,825 for Clay—in all 5,835—a fraud in these four counties alone of 2,633; and so on throughout all the Democratic counties of Georgia. Nevertheless, Polk's majority in the State was only 2,077.

**The infamous Democratic frauds in Louisiana—Open, notorious, shameful.**

In Louisiana the frauds were truly villainous. No attempt was ever made to disguise or cover them. They were open, notorious, and shameful. John Slidell was their infamous engineer, and under his manipulation thousands of fraudulent votes were counted for Polk in New Orleans and all along the Mississippi River. A single instance will illustrate all. Up to the day of the rebellion—up to 1861—the largest aggregate vote polled in Plaquemine parish was 550; in 1844 it gave Polk 1,007 majority, while his majority in the State was only 699.

**Thus Tilden and the Democracy of 1844 "counted in" Polk.**

Thus in 1844, throughout the country, fraud by Tilden and the Democracy was reduced to a system. Through its results James K. Polk, the weak but ambitious tool of the pro-slavery oligarchy, was "counted in," and the gallant and patriotic Clay, the illustrious "Great Commoner," whose services to the nation in war and peace constitute the brightest pages of its civil history, was robbed of the Presidency—was robbed by Tilden and the Democracy.

**The Pennsylvania Democratic frauds by which, in 1857, intrepid Fremont was robbed of the Presidency and Buchanan, the Pliant Tool of the Oligarchy, "counted in."**

Later, in 1857, by similar frauds in

Pennsylvania, by the same parties, accomplished through like agencies, John C. Fremont was cheated of the same high office, and James Buchanan, another weak and equally pliant tool of the oligarchal conspirators of 1844, was fraudulently placed in the chair of Washington, manifestly under pledges to complete the traitorous work for the destruction of the Republic begun by Polk.

**Tilden's wholesale frauds in 1876 at the North—His Mississippi shot-gun policy at the South.**

The campaign of 1876, was modeled upon that of 1844. By similar agencies or arts, by wholesale and systematic frauds in the North, he succeeded in carrying New York, New Jersey, Connecticut, and Indiana; and in the South, by the murderous Mississippi shot-gun policy, effected the manufacture of the fictitious figures which constitute his pretended popular majority.

**What miseries the success of the Democratic Frauds of 1844 and 1857 entailed upon the Nation.**

In 1844, and 1857 the oligarchal conspirators succeeded in disfranchising the nation. In 1876 they failed only by a count of one. In 1844 their fraudulent success entailed upon the nation the crimes of Polk's disastrous reign—the "unholy" Mexican war for the aggrandizement of slavery, exacting of the nation a sacrifice of thousands of lives and hundreds of millions of treasure; his iniquitous free-trade tariff; his hostility to internal improvements and kindred measures, all in the interest of the pro-slavery oligarchy; the fatal reopening of the slavery question, precipitated by the struggle of the sections for the possession of the territory seized from Mexico, and which, in 1861, under the manipulation of Buchanan and the Democracy, culminated in the appalling crimes of the Rebellion.

**The success of the Democratic frauds of 1876 would have brought upon the Republic Humiliation and Ruin.**

In 1876 their success was intended to be as disastrous as those of 1844 and 1857. The Confederacy had failed in its attempt to destroy the Republic. Its prestige and pride were humbled, and in the murderous struggle provoked by its crimes its losses had been immense. Tilden's success was intended to redress all that. A restoration of the Confederate to power and place in the Government was to be followed by the humiliation of loyalty—the abasement of the nation at the feet of the rebel; and the ruin of the Republic was to be effected by the confiscation of its property and



means in the payment of thousands of millions of fraudulent claims as indemnity to the Confederate for losses in the Rebellion.

## PART II.

**Democratic Cry that Tilden in 1876 was elected President — That Tilden was Counted Out by the Louisiana and Florida Returning Boards—That, notwithstanding, Tilden had an Immense Majority of the Popular Vote—The cry a part of the Tilden Conspiracy in 1876 to Seize the Presidency through Lawlessness and Fraud.**

The Democratic party pertinaciously continues the cry that in 1876 Tilden was elected President — that he was counted out by the returning boards of Louisiana and Florida, and that, notwithstanding, he had an immense majority on the popular vote. No intelligent Democrat believes that this cry has any basis of truth. All such understand its purpose. It is persisted in only as a part of the conspiracy in 1876, by which Tilden and the Democracy proposed and labored to seize the Presidency through violence and fraud.

**It is a Majority of the Electoral Colleges, not a Popular Majority, which Elects the President — The People do not Vote for President, but for Electors, who choose the President—Electors not Constitutionally bound to Vote for the Candidates supported by those who appoint them — Electors appointed by the supporters of one set of Candidates may Lawfully Vote for an opposite set, or for Men not even Mentioned in the Canvass.**

Now, under the Constitution, it is the majority of the electoral colleges, not the popular majority, by which the President and Vice-President of the United States are chosen. The people do not vote for President, but for electors, who choose the President and Vice-President. All that the people can legally do, under the Constitution, in the election of a President, is to manifest their preference for the men they propose shall fill that high office by appointing electors who may favor those men; but even then the electors are not bound by the Constitution or the law to vote for the men thus preferred, nor was it intended by the framers of the Constitution that the electors should be influenced in the choice of a President by any other consideration than the public good as it appears to their individual judgments. It would therefore be per-

fectly lawful and consistent with their oaths, consistent with their duty under the Constitution, for an elector or a majority of electors chosen by the supporters of one set of candidates to vote for the candidates of the opposite party, or for men not even mentioned in the canvass for electors.

**Custom, or the Law of Parties, which has become the Unwritten Law of the Land, has practically Amended the Constitution in that particular—Washington and Adams and Jefferson not Formally Nominated by Party—Chosen President as the First Citizens of the Republic.**

But custom or the law of parties, which has become the unwritten law of the land, has practically or in effect amended or changed the Constitution in this particular. Washington and the elder Adams were not formally nominated by any body of men which might be styled a party or representative body, as is the practice to-day in the nomination of candidates. Nor indeed was Jefferson. Washington and Adams were the most eminent, the wisest known, and the most popular men of their day, and as such, although identified as leaders of the Federal party, received a majority of the votes of the electoral colleges.

**Presidential Election of 1800—Jefferson and Burr received the Same Electoral Vote, 73—Constitutional provisions at that date respecting the Election of President—No Choice by the Electoral Colleges in 1800 — The Election devolved upon the House of Representatives.**

In the presidential campaign of 1800 Jefferson and Aaron Burr both received the same vote, (73,) which was a majority of the electoral colleges. As the Constitution then read, candidates for President and Vice-President were not voted for separately, but the electors cast their votes for two men, without specifying which of the two they preferred for President or Vice-President. In the counting of the electoral colleges by the House of Representatives, the man who had the greatest number of votes cast by the colleges, if a majority of the whole, was declared President of the United States, and the one who had the next highest vote was declared Vice-President. But in a case like that of Jefferson and Burr, in 1801, where the two men receiving the highest had the same vote, there was no choice of President, and the election of a Chief Magistrate devolved upon the House of Representatives.

**Danger to the Republic growing out of the Contest in the House between the Supporters of Jefferson and Burr strongly tests the Patriotism of House and People—Amendment of the Constitution providing for Separate or Distinct Ballots for President and Vice-President—Under the Unwritten Law of Party the People do in effect Vote for President—The Practical Force of that Unwritten Law.**

The excited contest which ensued in the House, and which soon extended to the people, between the supporters of Jefferson and Burr, was one of real danger to the Republic. It alarmed and strongly tested the patriotism of the House and people. It admonished all that a change in the method of choosing a President and Vice-President was demanded by the safety of the Government and the peace of the nation, and the Constitution was accordingly so amended as to provide for separate or distinct ballots for President and Vice-President. It retained the electoral colleges, making no alterations in their responsibility or powers, and also provided that a majority of the whole vote cast by the colleges should be necessary to elect. But under the subsequent organization of parties, and their practice through conventions of nominating candidates for President and Vice-President, and placing the names of the candidates thus nominated at the head of their electoral tickets, have in effect established an unwritten law which practically supercedes the rule of the Constitution. In effect the people do thus vote for President. For, so strong is the force of this unwritten law, that should electors, in the exercise of their undoubted lawful right, vote for men different from the ones indicated by the votes of those who appointed them, they would be forever dishonored. Such a vote, indeed, under the circumstances, would amount to a violation of a weighty and solemn trust, and probably defeat the will and best interests of the nation.

**A Majority of the Popular Vote not Necessary to a Choice of a Majority of Presidential Electors—A Popular Minority, under the Constitution, can and has Chosen a President—Illustrations of the Workings of the Constitutional Provisions respecting the Appointment of Electors and the Choice of a President.**

Nor is a majority of the popular vote necessary to a choice of a majority of electors, and consequently necessary to a choice of a chief magistrate of the Republic. A minority of the popular vote of the nation, or rather a mere plurality,

can, under the Constitution, appoint, and has again and again appointed, a majority of electors: a mere popular plurality, or an actual minority, of the whole vote, has again and again chosen a President.

Each State is entitled, under the Constitution, to as many votes in the electoral colleges as it has Senators and Members in Congress. Hence, in many States, the electors may be chosen by small majorities—by majorities even of one in each—while those of the other States may swell into thousands. Thus candidates having a majority of the electors may be chosen by States polling the smallest majorities for the colleges, and be in a minority of the aggregate popular vote of the Republic.

Again, the small States like Delaware and Nevada, each of which have but one member of the House, but each has two Senators, are under the Constitution each entitled to three presidential electors. Hence, at the presidential election of 1876, Delaware and Nevada, while casting only an aggregate popular vote of 43,824, polled six votes in the electoral colleges—the same as California, which cast a popular vote of 154,459.

**The Constitution a System of Checks and Balances—Our Government a Representative Republic, not a Democracy.**

The Constitution has been well described by eminent jurists as a system of checks and balances, and our Government as representative republic. It is not a Democracy.

### PART III.

**Statistics in Illustration of the above—The Presidential Election of 1844—Jas. K. Polk, in a Popular Minority of 24,119, received in the Electoral Colleges a Majority of 65.**

A few instances from our presidential elections will illustrate these facts.

In 1844, at the presidential election, there were three sets of candidates voted for, to wit:

#### FOR PRESIDENT:

Democrat—Jas. K. Polk, of Tennessee.  
Whig—Henry Clay, of Kentucky.  
Abolitionist—Jas. G. Birney, of New York.

#### FOR VICE-PRESIDENT:

Democratic—Geo. M. Dallas, of Pennsylvania.  
Whig—Thco. Frelinghuysen, of N. J.  
Abolitionist—Thomas Morris, of Ohio.



The vote was—

	Popular vote.	Electo- ral vote.
For Polk and Dallas .....	1,337,243	170
For Clay and Frelinghuysen .....	1,299,062	105
For Birney and Morris .....	662,300	..
	2,698,605	275

Polk's plurality, or excess of votes over Clay, was 38,181; Clay's and Birney's majority over Polk was 24,119; while Polk counted in the electoral colleges 170 votes, and Clay 105; Polk's majority being 65.

**Presidential Election of 1848—General Zachary Taylor in a Popular Minority of 151,708 received in the Electoral Colleges a Majority of 36.**

In 1848, at the Presidential election, three sets of candidates were voted for, to wit:

FOR PRESIDENT:

Democrat—Lewis Cass, of Michigan.  
Whig— Zachary Taylor, of Louisiana.  
Free-Soil— Martin Van Buren, of New York.

FOR VICE-PRESIDENT:

Democrat—W. O. Butler, of Kentucky.  
Whig— Millard Fillmore, of New York.  
Free-Soil— Charles Francis Adams, of Mass.

The vote was:

	Popular vote.	Electo- ral vote.
For Taylor and Fillmore.....	1,360,099	163
For Cass and Butler.....	1,220,544	127
For Van Buren and Adams..	291,263	....
	2,871,906	290

Taylor's plurality, or vote in excess of Cass's was 139,555; Cass's and Van Buren's combined vote constituted a majority over Taylor's of 151,708, or 12,153 votes larger than Taylor's plurality; yet Taylor in the electoral colleges counted 163 votes, and Cass 127; Taylor's majority being 36.

**Presidential Election of 1860—Abraham Lincoln in a Popular Minority of 947,288 receives in the Electoral Colleges a Majority of 57—Analysis of the Popular and Electoral Votes at this Election, and its Extraordinary Results.**

In 1860, at the presidential election, four sets of candidates were voted for, to wit:

FOR PRESIDENT:

Secesh Democrat—John C. Breckinridge, of Ky.  
Sq. Sov. Democrat—Stephen A. Douglas, of Ill.  
Republican— Abraham Lincoln, of Ill.  
Native American—John Bell, of Tenn.

FOR VICE-PRESIDENT:

Secesh Democrat—Jos. Lane, of Oregon.  
Sq. Sov. Democrat—Herschel V. Johnson, of Ga.  
Republican— Hannibal Hamlin, of Maine.  
Native American—Edward Everett, of Mass.

The vote was:

	Popular vote.	Electo- ral vote.
For Lincoln and Hamlin ...	1,866,452	180
For Douglas and Johnson... ..	1,375,157	12
For Breckinridge and Lane..	847,953	72
For Bell and Everett.....	590,631	39
	4,680,193	303

Now, let us analyze this vote:

Lincoln's plurality or vote in excess of Douglas's, the next highest, was..... 491,295.  
Douglas's vote over Breckinridge's was. 527,204  
Douglas's vote over Bell's was ..... 784,526  
But the MAJORITY of the combined vote of Douglas, Breckinridge, and Bell OVER LINCOLN'S WAS..... 947,288.

Thus Lincoln, on the total vote was in a minority of nearly a million votes but in the electoral colleges received a majority of 57.

Let us examine this vote further. Let us examine it in the light of the relative percentages of the popular and electoral votes of the respective candidates. These were—

	Percentage of popular vote.	Percentage of electoral vote.
Lincoln's.....	39	59
Douglas's.....	29	4
Breckinridge's.....	20	24
Bell's.....	13	13
	101	100

Now, Lincoln, with only 39 per cent. of the popular vote, received 59 per cent. of the electoral colleges.

Douglas, with 29 per cent. of the popular vote, received only 4 per cent. of the electoral vote.

Breckinridge, with only 20 per cent. of the popular vote, received 24 per cent. of the electoral vote.

Bell, with 13 per cent. of the popular vote, received also 13 per cent. of the electoral vote.

Breckinridge, with a popular vote one-third less than Douglas, received in the electoral colleges six times more votes than Douglas.

Bell, with less than one-half the popular vote of Douglas, received in the electoral colleges over three times more votes than Douglas.

And Lincoln, with a popular vote only 10 per cent. greater than Douglas, received in the electoral colleges over fourteen times more votes than Douglas.

**The above analysis makes clear Tilden's cry of Fraud.**

This analysis verifies beyond all question or cavil the facts stated above; that under the Constitution the choice of a President does not depend upon the popular vote, even when untainted by lawlessness or fraud, nor the appointment of a majority of electors upon

a popular majority; and the absolute fraud of the Tilden cry thus becomes clear and pronounced.

#### PART IV.

### What was Tilden's majority?—What its Character?—Was it the Result of a Lawful Vote, or the Violent Product of wholesale Fraud?—The vote of 1876.

But what was Tilden's majority? What was its character? Was it a real or a fictitious majority—the result of a real or lawful vote, or the violent product of wholesale fraud? Let us examine into the popular vote of the several States and the leading facts which marked the Presidential election of 1876:

The aggregate vote cast in 1876 was.... 8,411,136

Tilden's vote .....	4,284,265
Hayes' vote .....	4,033,295
Cooper's vote .....	81,737
All other votes .....	11,839
	<hr/> 4,126,871

Tilden's apparent majority..... 157,394

### The popular vote in the Free States, Border States, and Slave States grouped and compared with census of voting population.

In the former (or present) free States there was cast a total of 5,622,210 votes, of which Hayes received 2,939,729 and Tilden 2,682,481; majority for Hayes, 257,248.

In the States of Delaware, Maryland, Virginia, West Virginia, Kentucky, Tennessee, North Carolina, Missouri, Arkansas and Texas the total vote was 1,830,219. For Hayes, 744,747; for Tilden, 1,085,472; Tilden's majority, 340,825.

In South Carolina, Georgia, Florida, Alabama, Mississippi and Louisiana the vote was 890,811, of which Hayes received 362,231 and Tilden 528,590; Tilden's majority, 166,359.

According to the census of 1870, the latest enumeration available, there were in the Northern States at that time 4,850,151 male citizens over twenty-one years of age. The vote for President in those States, as has already been shown, was 5,622,210. Increase over the enumeration, 772,059.

In the second group of States the enumeration was 1,800,639; total vote

for President, 1,815,009. Increase over the enumeration, only 14,370.

In the last group, or Gulf States, the enumeration was 973,714; total vote for Hayes and Tilden, 890,811. Loss on the enumeration, 82,903.

Recapitulation: In the free States, where the election was free, fair, and full, there was a gain of 772,059 voters. In the border slave States, where Republicans are kept in hopeless minorities, and did not cast their full vote, the increase was only 14,370. In the Southern Republican States, where Republican majorities were subverted by armed violence, the loss was 82,903.

Assuming that the increase of voters in these States was of equal ratio to the free States, the increase over the enumeration would have been 114,714. Adding the loss of 82,903 to this amount, and we have 197,617 votes, or about one in six, not cast in the six States last named.

### The real voting strength of the Gulf States—Showing in 1870 a total colored majority of 57,335.

But there is another and still more reliable method of ascertaining the real voting strength and popular will of those States. In 1870 the voters were divided as follows:

	White.	Col'd.
Alabama .....	104,276	105,612
Florida .....	19,211	20,170
Georgia .....	127,785	119,920
Louisiana .....	72,413	80,126
Mississippi .....	76,577	97,724
South Carolina .....	57,933	91,978
Total .....	458,195	515,530

Colored majority..... 57,335

### And exhibiting a total Republican majority of 183,335 in 1870.

In ascertaining the Republican strength South, two estimates may be made that are perfectly reliable. First, that the colored vote is solidly Republican; secondly, that a small per cent. of the white vote is Republican; much depending on the locality and the freedom of election. The division of voters on this basis is shown in the following table:

	Republican.	Democratic.
	Color'd.	White.
Alabama .....	105,612	15,000
Florida .....	20,170	3,000
Georgia .....	119,920	20,000
Louisiana .....	80,126	10,000
Mississippi .....	97,724	10,000
South Carolina .....	91,978	5,000
	<hr/> 515,530	<hr/> 63,000

Total Republican vote.....578,530  
Total Democratic vote.....395,195

Republican majority.....183,335



These figures are based on the population and enumeration of 1870.

**Subsequent changes of population favored the Republicans, especially in South Carolina, Mississippi, and Louisiana.**

Whatever changes had taken place since that time, and they were considerable, were favorable to the Republicans. This was notably true of South Carolina, Mississippi, and Louisiana. These three States continued under Republican control long after the States adjoining had fallen under Democratic dominion. Democratic rule was accompanied by the abolishment of colored schools and harsh and proscriptive administration. Thereupon there was an exodus of negroes from those States to the others, where the rights and interests of their race were respected, their children educated, and the ruling powers were friendly. The States of Virginia, North Carolina, Tennessee, Arkansas, and Texas contributed many thousands of their colored voters on this account to South Carolina, Mississippi, and Louisiana. The last Presidential election affords abundant proof of this statement. Take

**South Carolina,**

for example. The vote in this State for the years named was as follows:

1868—Republican .....	62,301
Democratic .....	45,207
Republican majority .....	17,094
1870—Republican .....	85,071
Democratic .....	51,537
Republican majority .....	33,534
1872—Republican .....	72,290
Democratic .....	22,703
Republican majority .....	49,587

It has already been shown that the total white vote in 1870 was 57,933, and the colored vote 91,978, the total being 149,911, and the colored majority 34,545.

1876—Republican vote .....	91,870
Democratic .....	91,076
Total .....	182,946
Vote of 1870 .....	149,911
Increase .....	33,035

A passing reference to the past white population of South Carolina leaves no doubt that this increase was almost wholly colored. The United States census furnishes the following figures.

	Whites.
1830 .....	257,863
1840 .....	259,084
185 .....	274,563
1860 .....	291,300
1870 .....	289,667

Thus it will be seen that the white population of the State has been almost

stationary for the past half century. It will not be argued by the Opposition that it has received marvelous increase under the very odious (!) Republican Administration since reconstruction. Whence, then, the 33,035 votes added to the poll-books? If they are not white they must be colored, and that is the fact. Then we have the actual vote of South Carolina, confirmed by this test, as follows:

Colored .....	124,033
White .....	57,933
Colored majority .....	66,100

**Mississippi Republican by 40,000 majority, but "counted in" by "51,500 majority" for Tilden.**

Next take Mississippi. The colored majority in 1870 was 21,157. Alcorn was elected Republican Governor in 1869 by a majority of 38,089. Grant's majority in 1872 was 35,119. It is admitted by all conversant with the political affairs of the State that the present colored majority is fully 40,000. Yet Mr. Tilden carried the State, much as a storming party carries intrenchments, by a majority of 51,468. How was this done? Take the five following counties to illustrate:

	1869		1872		1876	
	Rep.	Dem.	Rep.	Dem.	Rep.	Dem.
Hinds ....	3,819	1,415	4,015	1,539	1,474	4,503
Lowndes ..	4,082	844	3,217	698	2	2,073
Madison ..	2,508	629	2,512	765	13	1,473
Warren ...	4,641	1,005	4,709	1,284	623	2,036
Yazoo ....	2,642	815	2,433	922	2	3,672
	17,692	4,708	16,886	5,208	2,114	13,757

Here was an actual loss of 15,578 Republican votes in four counties, and of 6,223 on the aggregate vote of 1872, in counties where the colored vote has been increased by immigration fully 2,500 since that year. The returns from other parts of the State are in keeping with these. What were the means which operated to effect this extraordinary change? They constituted what is known as the "Mississippi Plan." Its villainies are now all confessed even by its principal authors, and the assassination of Dixon, a leader, in 1875, in the execution of the plan as also the assassination of the Chisholms at the command of the men it placed in power, because he proposed to rebel against their rule, were natural but terrible results of the violent tyranny it established. Hence, the State of Mississippi as rightfully belonged to Hayes and the Republican cause as Massachusetts or Vermont. But it was counted for Mr. Tilden upon a fraudulent majority of 51,500.

## PART V.

**Florida—Bloody Violence failing, Fraud and Judicial Usurpation resorted to—A Brief History of the entire series of Fraudulent Proceedings by which Tilden strove to Capture its Electoral vote—Facts, Figures, and Incidents.**

But Mr. Tilden claimed that he was entitled to the electoral colleges of Florida and Louisiana, and pertinaciously charges that he was defrauded of them by the Returning Boards of those States. But what are the facts? The following is a summary of the entire Florida case in brief:

**Bloody violence and Ballot-box Debauchery.**

At the election in Florida of Presidential electors, November 7, 1876, every expedient, whether fraudulent or violent, was employed by the Tildenites to secure a majority at the polls—at least to secure a majority on the face of the returns. In the Democratic counties all the election machinery was in the hands of the Tildenites. The "Mississippi shot-gun policy" was their favorite; but when that failed, the resort was to debauch the ballot-boxes or manipulate the returns. A denial of bloody violence during the canvass is not seriously pretended; it cannot be successfully maintained.

**The State at first conceded to Hayes—One vote needed for Tilden—The whole situation thereupon changes—The Attorney-General denies his master, the people—"And immediately the Cocke crew."**

Early after the day of voting the returns from the Republican counties were received at Tallahassee—Escambia, Gadsden, Leon, Jefferson, Madison, Alachua, Duval, Nassau, and Marion; and their aggregate majority (7,418 for Hayes) was publicly known. The returns from Baker and Dade subsequently increased that to 7,463. The State by the Democracy was conceded to Hayes by a handsome majority. It was not considered probable that the Republican majority would or could be overcome in the Democratic counties; nor was it pretended as possible until the vote of the State became necessary to Tilden's election. Instantly, then, the whole situation was changed. The State was

claimed by the Democracy. A clamor of fraud was raised by them as a blind to the villainy by which the Tildenites, in the Democratic counties, remote from the capital and difficult of access, proposed to destroy Hayes' majority; and, as a part of the conspiracy to that end, the Democratic Attorney-General of the State telegraphed North:

TALLAHASSEE, Fla., November, 14, 1876.

The returns from the county managers not yet in. The Board of State Canvassers, of which I, as Attorney-General, am one, does not meet for thirty-five days after the election, but you may rest assured that Tilden has carried the State and Drew is elected. I do not think the Radicals can cheat the Democrats out of the State.

WILLIAM ARCHER COCKE.

Now, if the returns were not yet in at the date of this dispatch, where did Cocke get his information? How did he know the State had voted for Tilden? The Republicans, from the returns actually in, from their aggregate majority as compared with the results of previous elections, knew that the State had voted for Hayes by a decisive majority. But how and where did Cocke obtain his information? What special means had he of communicating with the Democratic counties, so remote from Tallahassee and so difficult of access? Is not the answer plain?

**First warning to the Republicans—The Tilden Democrats cut the wires, wreck trains, and bulldoze the Governor's couriers.**

This dispatch of the Democratic Attorney-General of the State was a warning to the Republicans of the fraudulent plots at work. It aroused them to action. But all the efforts of Governor Stearns to secure the actual results of the election—to protect the ballot-boxes and returns from mutilation and fraud—were resisted by the most violent agencies. The telegraph wires were cut, a train, in which were some of the Governor's messengers to the western counties, was ku-kluxed and wrecked, and his couriers were intercepted and turned back with the warning threat that if they dared to proceed without a pass from Mr. Pasco, the chairman of the Democratic committee at Tallahassee, they would be assassinated.

**But in spite of all this, and much more, Hayes has a majority on the face of the returns of 43.**

Even under such circumstances, with violence and fraud rampant throughout the Democratic sections of the State, the returns of all the counties, excepting those of Dade, when opened on the 28th of November, showed on their face a majority of 43 for the Hayes electors, to wit:



*Hayes Electors.*

Humphreys... 24,328  
 Pearce..... 24,324  
 Long..... 24,823  
 Holden..... 24,328

*Tilden Electors.*

Yonge..... 24,284  
 Call..... 24,285  
 Hilton..... 24,283  
 Bullock..... 24,282

The returns from Dade, which were received on Monday, December 4, were: For Hayes, 9; for Tilden, 4.

**Clamor of "fraud" against the Republicans — Bribery rampant — Tilden's "barrel of gold" at work.**

This result, although a serious disappointment to the Democracy, yet incited and nerved the Tildenites to renewed clamors of fraud against the Republicans, and they now settled down in dead earnest to the desperate work of wresting the State from its Republican majority. Falsehoods and false charges of fraud against the Republicans were systematically telegraphed over the country as a means of prejudging the canvass of votes, perjurers were recruited with bribes to sustain these charges, and unscrupulous partisan counsel, feed from the notorious "barrel of gold," were imported from the North to superintend and manage the efforts to capture the State for Tilden.

**The Board of State Canvassers—The law governing their action.**

Under the fourth section of the law of Florida, approved February 27, 1872, the Board of State Canvassers consisted of the Secretary of State, Samuel B. McLin, who was elected its president; Comptroller of Accounts Clayton A. Cowgill, and Attorney-General William Archer Cocke. The two former were classed as Republicans; the latter is a Democrat, and all three are native sons of the South. Under the same section the canvassing board is required to meet in the office of the Secretary of State within thirty-five days after any general or special election, and proceed to canvass the returns and determine and declare who shall have been elected, as shown by such returns. It commands: "If any such returns shall be shown, or shall appear to be so *irregular, false, or fraudulent* that the board shall be unable to determine the true vote for any such officer or member, they shall so certify, and *shall not include such return in their determination and declaration.*"

**Attorney-General Cocke objected to as a member of the Board because of prejudgment—He goes on his knees and is forgiven.**

Hence the canvassing board began its sessions on the 27th of November. Attorney-General Cocke's unfitness to serve with the board was urged, on the ground that he had prejudged the case,

even before the receipt of the returns, and that consequently he could not render an impartial judgment; but that gentleman, having earnestly pledged himself that he would be governed in his action by his oath and the facts, the objection to his acting was withdrawn.

**The Board, under Democratic counsel, rule, and precedent, proceed to business and find a majority for Hayes.**

Under the written opinion of this gentleman, the Democratic Attorney-General of the State, and the legal adviser of the Board, given in 1874, with the applause of the Democracy, and in accordance with the practice adopted under that opinion in the canvass of that year, by which the Democracy so greatly profited, a contest of the county returns, or of the vote of any county or of any precinct of a county, was allowed. The Democratic Attorney-General in substance declared: "It is the duty of the Board to seek the true returns." Accordingly the Canvassing Board proceeded to find the true vote of the State. The returns of the counties were opened, and upon their face, as stated above, showed a majority of 43 for Hayes. The subsequent return from Dade increased that majority to 48.

**The Democracy at once cry "Fraud"—The Republicans tax Democratic counties with "Shenanigan."**

The Democracy immediately assailed the returns from Baker and other counties, and the Republicans filed objections to the returns from a number of Democratic counties and precincts. All these, under the express commands of the laws of the State, the written advice of the Democratic Attorney-General, and the previous practice of the Board under both, the Board determined to inquire into. But the twenty-four uncontested counties—to wit, Brevard, Bradford, Calhoun, Dade, Escambia, Franklin, Gadsden, Hillsborough, Holmes, Lafayette, Liberty, Madison, Marion, Putnam, Polk, Santa Rosa, Sumter, St. John's, Suwannee, Taylor, Volusia, Wakulla, Walton, and Washington—were first taken up and canvassed according to the face of the returns.

**The Board investigates for the "true" Returns—Much unanimity in its findings—The counties of Baker, Clay, Hernando, Nassau, Levy, Orange, Leon, Hamilton, Monroe, Jefferson, and Manatee.**

The Board then entered into an investigation for the true returns in the contested counties. The investigation was public. In all its proceedings, in all its findings, or means of ascertaining the true return, it acted upon the opin-

ions and advice of its legal adviser, the Democratic Attorney-General of the State. It, of course, consulted other counsel. But those, in their opinions, only confirmed the general principles laid down for their rule of action by the Attorney-General. Indeed, there was little actual discord or difference among its members. Thus, in the counties of Baker, Clay, Hernando, Nassau, Levy, Orange, Hamilton, Leon, and Monroe the true return was found, as nearly as was possible, by the *unanimous vote* of the Board, Attorney-General Cocke voting with his Republican associates in the findings and count. In Jefferson county sixty votes were unanimously deducted from the Republican count; the remainder of the county was counted. The vote of Manatee County was rejected because of the entire absence of all legal preparation for holding the election. No election, in fact, was held.

**Alachua County Democratic Ballot-box Stuffing — Bold Perjuries and Confessed Bribes.**

In Alachua county a determined effort was made by the Democracy to destroy the count of Archer precinct No. 2. It was largely Republican. All election day it was made the rendezvous of leading Democrats. All day they plotted to destroy the vote of the precinct. But how? At night, after the close of the polls, the vote was canvassed, counted, and compared with the poll-lists, duly certified and signed by all the election officers—two Democrats and two Republicans—and, after the sealing of the ballot-boxes, the vote and majority was announced—about the usual and previously unquestioned majority. The ballot-boxes were then placed in the courthouse, an insecure building, with loose shutters and yielding fastenings. This the Democrats guarded at night on the pretence of protecting the ballot-boxes; but so negligently that some one entered, opened the boxes, extracted some of the ballots, and substituted others. But who? The Republicans had no motive for the act. The safety of those ballots was the guarantee of their returns. Their manipulation so as to change the announced and returned result was their loss, but was an immense gain for the Democracy. There was no doubt in the matter. Even the bold perjuries and confessed bribes of the Democratic witnesses, Green R. Moores and Floyd Dukes, demonstrate who were the guilty parties and what the manifest object of the crime. That no doubt should be had about the accuracy of the canvass, the Republicans verified their votes by the affidavits of the persons voting; but the Democrats utterly failed in their attempt at a verification of their pretended vote. Hence the canvassing

board accepted and counted the returns thus verified.

**Baker and Duval Counties—The Democratic Deviltries in Jackson County—The Canvass Completed.**

In canvassing Baker county, a Democratic county, the Republican members of the board voted with Cocke; and in Duval county, the board, after verifying the county returns by a comparison with the precinct returns, determined to count the vote.

In Jackson county, Campbellton and Friendship Church precincts were thrown out because the elections and returns were frauds upon the election laws. At the Campbellton precinct the ballot-box, at the adjournment for dinner, was taken from the polling-booth, placed in an adjoining store unsealed, and concealed from the public. At the close of the poll the ballots were not counted nor compared with the number of names on the poll-list, and only 76 Republican votes were returned where 133 swore that they had voted. At Friendship Church precinct the ballot-box was hidden from the view of the public and of the voters, even when voting; a supervisor—not an inspector—received the ballots at a window above the heads of the voters, below the sill of which, out of sight, was placed the ballot-box. Instead of making and completing the canvass at the polling-booth, without adjournment, and in view of the public, the boxes were removed two miles away to a bed-room, where the returns were made up without counting the ballots or comparing them with the poll lists. The county, with these deductions, was canvassed. That completed the canvass.

**Attorney-General Cocke's Admission—Manton Marble and other Tilden Agents "see" the Attorney-General.**

And in all its decisions the canvassing board was governed by the advice of the Democratic Attorney-General. In the rejection of Hamilton county Cocke was emphatic in his declaration that it should be rejected. He was equally decided in the rejection of Monroe. When appealed to for his legal opinion, he said: "*It must be thrown out.*" But when the extent of the reckless character of the Democratic frauds began to dawn upon him, he got frightened and nervous at the results of his advice. When compelled to reject Hamilton county, he said: "*This elects Hayes.*" When Jackson, with its eighty unpunished murders was passed in review and rejected, he said: "*This elects Stearns.*" And he only proposed to recede from his action after an interview with Manton Marble & Co. But there was no retreat. The board could only act upon the facts under the law in the light of



its duty impartially performed. It could not exclude or count votes for the single purpose of electing Tilden and Drew; it must reject all returns vitiated by proved fraud. That it did, and that only.

**Final Result of Count—Hayes' Majority 983—His real majority.**

The result, as found by the board, was as follows:

FOR HAYES ELECTORS.	FOR TILDEN ELECTORS.
Humphreys ..... 23,849	Yonge ..... 22,923
Pearce..... 23,844	Call..... 22,919
Holden ..... 23,848	Hilton..... 22,921
Long..... 23,843	Bullock..... 22,919

Majority for Hayes, 923; and the evidence of their own witnesses before the Congressional investigating committee of 1876 demonstrates that if there had been a fair election, even an honest return of the election actually held, Hayes' majority, instead of being only 923, would have ranged between 2,000 and 3,000 votes.

**The baffled Tildenites Self-stultification — They fly to the Democratic Courts to Force the Defunct State Canvassing Board to come to Life and Action.**

Yet the Democracy were not happy. Their situation was as deplorable as it was desperate. They had been baffled at every turn. Violence, fraud, bribery, and perjury had all failed them, and yet the State must be captured for Tilden. All will remember the situation. South Carolina had been surrendered. In Louisiana they had no hope. Hence Florida must be wrested from Hayes. But how to do it? How to assail the finding of the canvassing board? It had acted under the law—under the Democratic theory of its meaning, and under the opinion and advice of the Democratic Attorney-General, the highest law officer of the government of Florida. Stultification was their only recourse. They must assail the powers of the board. They had contended that it was clothed with judicial powers; that its duty was to go behind the returns and find the true vote. They now assailed that position. They appealed to the State Court to compel the canvassing board, a political body, and that body *functus officio* under the law creating it, it having performed the functions imposed upon it by law and adjourned *sine die*, they appealed to the judiciary to force the board to revive, to review its canvass of the votes of the State, and to count in Tilden and Drew; to the court to perform a political and partisan act for the maintenance of crimes, of which murder, ballot-box stuffing, forgery of returns, bribery, and perjury were the demonstrated elements.

**The Democratic Court Complies — An Usurpation—Hayes still in a Majority.**

The Democratic court readily com-

plied. Its *mandamus* to the canvassing board was an usurpation as violent as it was novel. It was a process unknown to the law. It violated the laws of Florida. It changed the court, from a judicial to a political and partisan body, into a canvassing board, and transferred the powers and duties of the board, a body constituted of three members, under the laws of Florida, to the court, in the person of a single judge. Now, a *mandamus* may issue compelling an officer to act, to perform the functions of his office, but a *mandamus* instructing a political body in the manner of performing its duties, dictating to a canvassing board what it shall count in determining the result of a political election, was an usurpation without a precedent. Even under the re-canvass thus forced through the judiciary in violation of law, *the Hayes electors had still a majority by the very vote which elected Drew.*

**Further Usurpations by the Democratic Judiciary, and Democratic State Legislature—All parts of the Tilden Plot.**

Like its *mandamus* to the canvassing board, the *quo warranto* proceedings of this debauched court against the electoral college of the State—an inquiry to a body *functus officio* (dead in law,) by what right it performed certain functions before it expired, was an "absolute novelty" in law; an usurpation as violent as its purposes were fraudulent. The acts of the Democratic Legislature of Florida were of a like character; simply usurpation without a precedent, retroactive acts to reverse proceedings complete, legal, and final under the laws of the United States and the laws of Florida at the date of their performance—all acts, indeed, in pursuance of a conspiracy for the triumph of fraud and crimes without a parallel in the history of the Republic.

**PART VI.**

**Louisiana—Its Population and Votes—The Ku-klux Crimes of 1868—Tilden Rifle Clubs of 1876—Murderous Outrages in Seventeen Parishes—State Returning Board—Its Duties — Infamy of Tilden and the Democracy.**

The following facts and figures prove the Republicanism of Louisiana and the crimes of the Tilden Democratic conspiracy against it:

**Population and voters—Republican majority of 20,000 at least.**

In 1875 the male population of Louis-

iana according to the State census, was: Whites, 404,916; colored, 450,611. Of the white males thousands were aliens and non-voters, merely residents of the State, engaged in commercial pursuits under the treaties with France ceding Louisiana to the United States. In November, 1876, on the day of the Presidential election, the registration in the State stood: Whites, 92,996; colored, 115,310, showing a Republican majority on the face of the register, upon the colored line alone, of 22,314. It is estimated that in the State there were not less than 10,000 white Republicans, while not half that number of colored men voted the Democratic ticket. It is therefore a moderate estimate justified by an overwhelming array of facts, developed during the campaign, that on election day, with a legal and quiet poll of the entire vote of the respective parties, the Republican majority in the State, at the smallest figure, was 20,000 votes.

**The Democratic plot—The Tilden conspirators' secret circular.**

The Tilden Democratic conspirators, backed by no end of Tilden "barrels of gold," and their minds inflamed by the lust of untold millions in fraudulent rebel claims, decided to overcome this large Republican majority by a deep and devilish plot.

In a "confidential" circular of the Democratic Conservative State Central Committee, at New Orleans, signed by J. W. Patton, president, and P. J. Sullivan, secretary, the organization of clubs was directed in the different parishes. The circular urged that in conversation no gloomy forebodings should be indulged in, and that the result of the election should be spoken of as a foregone conclusion, "*as we have the means of carrying the election, and intend to do so.*" But be careful to say and do nothing that can be construed into a threat or intimidation of any character." Frequent meetings of all these clubs were enjoined. Their members were instructed to occasionally assemble at their several places of meeting, and to proceed thence on horseback to the central rendezvous. "Proceedings of that character would impress the negroes with a sense of the united strength" of the Democracy. And it directed that on election day, at each polling place, affidavits should be prepared, affirming "that there has been no intimidation and no disturbance on account of any efforts by the Democratic Conservative party to prevent any one from voting on account of race, color, or previous condition of servitude."

**How secret instructions were carried out—Rifle clubs and "Knights of the White Camelia"—Dragooning the Par-**

**ishes—Mutilation, Maiming, Whipping, Murdering, and General Terror.**

It was a villainous conspiracy and literally pursued to its devilish consequences. Clubs were formed in the parishes. The old murderous White-Leaguers re-organized as rifle clubs, as "Knights of the White Camelia." These, mounted, masked, and armed, dragooned the parishes night and day and ruled in terror and blood, amid assassination and outrages, and violence of every degree and kind—mutilation, maimings, and whippings. No age or sex was respected—none was spared. The evidence, multiplied in a hundred shapes, is overwhelming, and is as revolting in its terrible details as it is conclusive in its proofs. The historical sanguinary violence of the "Franco-Spanish blood"—the sources of Louisiana's white population—was indulged without restraint. The old hellish terrorism of Murat, Couthon, and St. Just, those cruel demons of the French revolution of 1798, was revived in Louisiana in all its frightful horrors. Indeed, throughout the canvass, prior to election day, murder was king, intimidation rioted as absolute tyrant.

**The election—How the true result was to be determined—The State Returning Board—Its duties under the law.**

The election was held. To determine the true result was the duty, under the laws of Louisiana, of the State canvassing board. "The statute organizing that board declares in substance" as stated by Senator Sherman, "that whenever from any poll or voting place there shall be received by the board the statement of any supervisor of registration or commissioner of election, confirmed by the affidavits of three or more citizens, of any riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influences which prevent, or tend to prevent, a fair, free, and peaceable vote of all qualified electors entitled to vote at such polls, the board shall proceed to investigate the facts, and if from such statement and affidavits they shall be convinced that such causes did not materially interfere with the purity and freedom of such election, or prevent a sufficient number of qualified voters from voting to materially change result of the election, then such votes shall be canvassed and compiled; but if they are not thus fully convinced, it shall be their duty to examine further testimony in regard thereto, and to that end shall have power to send for persons and papers; and if, after examination, the board shall be convinced that such acts of violence, intimidations &c., did materially interfere with the purity and freedom of the election at



such poll, or did prevent a sufficient number of qualified voters from registering or voting to materially change the result of the election, then the board shall not canvass or compile the vote of such poll, but shall exclude it from their returns."

**Why the State Returning Board was created—Terrible Ku-Klux doings of 1868—The parishes of Orleans, Caddo, Saint Landry, and others.**

What compelled the State to create this Canvassing Board? It was to protect the State against the "Ku-Klux Klan," which by a series of sanguinary atrocities in 1868 had endeavored to intimidate the colored vote, uproot in the State all the guarantees by which freedom and the suffrage is protected, to purge the State of the "stigma of negro equality," and seize the State government. Thus one-half of the State—those counties in which colored majorities prevailed—was, just preceding the Presidential campaign of 1868, "over-run by violence, midnight raids, secret murders and open riots. Ku-Klux notices were scattered everywhere, warning the colored men not to vote."

In the documents accompanying President Grant's special message to the Senate, January 13, 1875, communicating the proofs of numberless atrocities at Colfax and elsewhere in Louisiana, is a communication from Lieutenant General P. H. Sheridan, dated New Orleans, January 10, 1875, to the Secretary of War, in which he says:

"Since the year 1866 nearly 3,000 persons, a great majority of whom were colored men, have been killed and wounded in this State. In 1868 the official record shows that 1,884 were killed and wounded. From 1868 to the present time no official investigation has been made, and the civil authorities, in all but a few cases, have been unable to arrest, convict, and punish perpetrators. Consequently there are no correct records to be consulted for information. There is ample evidence, however, to show that more than 1,200 persons have been killed and wounded during this time on account of their political sentiments. Frightful massacres have occurred in the parishes of Bossier, Caddo, Catahoula, Saint Bernard, Saint Landry, Grant, and Orleans. The general character of the massacres in the above-named parishes is so well known that it is unnecessary to describe them."

The "glorious Democratic victory" which ensued in 1868 was preceded by one of the most terrible massacres on record. The Republicans, colored and white, for days were hunted through swamps and fields, and over two hundred were killed and wounded. Thirteen helpless captives were taken from the jail and shot, and a pile of twenty-five dead bodies was found in the woods buried. Having thus conquered the Republicans, having thus murdered or expelled their white leaders, the masses were captured by the Ku-Klux, marked with badges of red flannel, enrolled in

clubs, led to the polls, and compelled to vote the Democratic ticket. They were then given certificates of the fact.

The effect of this devilish system of terrorism is shown by selecting a few illustrations out of the frightful mass, as developed by Congressional investigation:

In the parish of Orleans, of its 29,910 voters 15,020 were colored, and in the spring of 1868 the parish had polled 13,973 Republican votes, but in the fall, for General Grant, only 1,178 were polled, a falling off of 12,795 votes.

In the parish of Caddo there were 2,987 Republicans. In the spring of 1868 the Republicans carried the parish; in the fall it gave General Grant one vote.

In the parish of St. Landry, in 1868, the Republicans had a registered majority of 1,071 votes. In the spring the Republicans in the parish had polled a majority of 678 votes; in the fall not a vote was cast for General Grant. Seymour and Blair polled the full vote of the parish—4,787 votes.

It was this systematic, organized devilry which compelled the State to create the State Canvassing Board with extraordinary powers to sit in judgment upon the violent conspiracy of the White League Democracy to wrest the local government from the control of its lawful majority. Its duties were not merely to receive and count any and all returns which might be forwarded to it. Its grand duty was to sit in judgment upon all such returns, to sift and purge them of all fraud, and particularly of fraud perpetrated through organized violence. Its legality was affirmed by the Electoral Commission.

**What the Returning Board did in 1876.**

How, then, in November, 1876, at its canvass of the vote of Louisiana for the appointment of Presidential electors, did this board execute its responsible and perilous duties? Wisely, justly, equitably, or the contrary? What are facts?

Under the laws of Louisiana, under the express commands of those laws, requiring them to reject the votes of all parishes in which intimidation and violence had defeated a free election, the board rejected the votes of seventeen parishes—all of them Republican parishes by large majorities, but in which the Democracy claimed 10,000 majority. Why did they reject them?

**Another Democratic secret circular—Dreadful work in seventeen rejected parishes.**

In obedience to the "confidential" circular of the Democratic Central Committees of the State, organized clubs of masked, men mounted and armed for months prior to the President

election, dragooned the parishes night and day, "marking their course by the whipping, shooting, wounding, maiming, mutilation, and murder of women, children and defenseless men, whose homes were forcibly entered while they slept, and, as their inmates fled through fear, the pistol, the rifle, the knife and the rope were employed to do their horrid work." For this "horrid work" through systematic intimidation, through organized murder and outrage, heavy Republican parishes were selected, like East and West Feliciana, East Baton Rouge, Morehouse, Ouachita, etc., all of which in every previous election had voted heavily Republican, and were manifestly selected because of their contiguity to Mississippi and Arkansas, to whose "border ruffians the appalling villany of the clubs might be charged." In these seventeen parishes on election day there was a registered Republican majority of nearly 7,000 votes; but the returns from those parishes to the returning board were: For Tilden, 21,123; for Hayes, 10,970—making a Democratic majority of 10,153. The Democracy demanded that such returns, with fraud stamped upon their face, with the horrible agencies by which that fraud had been perpetrated notorious, should be counted for Tilden. Of course, with the certified proofs before it, the board demurred. Under the command of the law it was their duty to investigate. It did investigate, and the facts developed were revolting.

**The parish of Ouachita—The Dinkgrave murder—The Pinkston tragedy.**

Take any one of those parishes; take Ouachita, for example. In 1868 it gave a Republican majority of 1,071; in 1870 it gave a Republican majority of 798; in 1872 a Republican majority of 798; in 1874 a Republican majority of 927. At the Presidential election in 1876, with a registered Republican majority of 1,040 a Democratic majority of 1,072 was returned. Early in August the *Vienna Sentinel*, a leading Democratic organ of the parish, boasted that in Ouachita the canvas had been reduced to a single ticket, the Democratic nominees. It boasted that the Republicans were wavering, disheartened, scared. A few Republicans still dared to keep the field, but it warned them that they were well known and watched, "and that the halter for their necks is already greased." Bernard H. Dinkgrave, one of those resolute few, a "white man, a cultivated man, and a native of Louisiana, and against whose character no one has breathed a word," except that he was a Republican, was subsequently brutally assassinated. The details of the murder of Henry Pinkston, the murder of his babe in the arms of his wife, and the revolting outrage and

mutilation of the person of his wife by a band of masked men, shocked even the humanity of the Democratic visitors at New Orleans. These are but few instances, illustrations, of a multitude of like cases attested by a "cloud of witnesses." Was it singular, therefore, that in these parishes the spirit of the colored man should be broken; that he was "impressed" with the "strength" of the Democracy; that hundreds in their terror fled from the polls, as they had from their homes, into the swamps and fields?

**A comparison of Results in the Bulldozed Parishes with the parishes not "bulldozed"—Lawful action of the Returning Board—Infamy of Tilden and his Democracy.**

Thus throughout these seventeen parishes these were the agencies, this the diabolical system of terrorism through organized murder and outrage employed by the chivalrous "Knights of the White Camelia," in "bulldozing" a Democratic majority of 10,000 out of parishes entitled to a Republican majority of 7,000! In the other forty parishes of the State, where intimidation failed, a registered Republican majority of 15,000 yielded an actual Republican majority of 6,000. Under a fair or free election in the unfortunate "bulldozed" parishes, the majority in Louisiana for Hayes and Wheeler would have been greatly increased. Under the laws of the State the returning board could not restore the Republican majority. Although the proofs that thousands of Republican voters were disfranchised through intimidation were as overwhelming as their details were shocking and disgraceful to the State and nation, although simple justice demanded the restoration of the Republican vote, yet the board was powerless to remedy the wrong in that way. It could only reject the "bulldozed" returns. Could it have rendered real justice by the restoration of the legal vote which would have been polled in these parishes in the absence of intimidation, Hayes and Wheeler's majority in the State would have been between 10,000 and 15,000 votes. No legal poll, such as is contemplated by the Constitution and the laws, would have depressed that majority.

What, then, in the light of the facts, is the attitude of the Democracy declaring Tilden entitled to the Presidency upon the votes of Louisiana? Is it not simply infamous?

## PART V.

**Relative Geographical Area, Wealth, Population and Intelligence in 1876 of the Hayes and Tilden States.**

Now let us examine the results of the



Presidential election of 1876 in the light of the area, wealth, population, and illiteracy of the States respectively voting for Tilden and Hayes. The following statement, compiled from the census of 1870, shows the relative geographical area, wealth, population, and intelligence in 1876 of the Hayes and Tilden States:

	AREA.	WEALTH.	POPULATION.	ILLITERACY.	
				No. persons who cannot read.	No. persons who cannot write.
Aggregate of all the States...	2,088,967	\$29,842,778 443	38,135,505	4,444,503	5,559,311
Total of Tilden's States.....	830,237	14,468,704 871	19,704,292	3,257,683	3,973,611
Total of Hayes' States.....	1,238,730	15,374,073 572	18,391,213	1,186,820	1,575,700
Excess for Hayes' States.....	388,493	\$905,368 701	1,373,079		
" " Tilden's States.....	.....	.....	.....	2,070,863	2,397,911

**The Hayes States embraced the Highest Intelligence, the Wealth, the Heaviest Taxation and largest part of the National domain—As also the White vote of the Nation—The Tilden States the Ignorance, Poverty, and Crime, and Negro Vote.**

Hence the States represented in the vote of Hayes contain nearly 400,000 square miles more of territory than the area embraced in the States represented by the vote of Tilden, and nearly \$1,000,000,000 more of the wealth of the nation: while those represented by Til-

den's vote embraced nearly all the ignorance and consequent crime of the nation, and those represented by the vote of Hayes its very highest intelligence, the noblest culture and learning, as they do its greatest wealth and taxation, and the largest portion of its geographical area. By a singular perversion of things, the vote of Tilden, the candidate of the men and party who labor to disfranchise the negro, to wrest from him all political power, represented the great bulk of the negro population, and Hayes's vote a vast majority of the white population, as it does the land, the wealth, and the intelligence of the Republic.

**The Hayes States embraced the Industry, Thrift, Wealth, and Morals of the Nation—The Tilden States darkened by the Dread Color-Line of Ignorance and Crime—The fraudulent vote of New York.**

Analyze and run the parallel as you will, the result is the same; in the relative number of libraries, public and private, and in the number of their volumes; in the relative number of institutions of learning, and school facilities and attendance; in the relative number of authors and works published and read, and newspapers and periodicals printed; in the relative character of populations, their relative thrift, industry, wealth, and morals; under every analysis and comparison, the dread color line of ignorance and crime bounds and darkens the Tilden States. That, too, while giving Tilden all the advantages of the notorious Democratic violence and fraud at the election, while counting for him all the States he thus carried. Thus the electoral vote of New York was counted for him. But was he legally entitled to the vote? He carried New York city and its surroundings through the terrible frauds of its vicious classes. The State was heavily against him. Thus the city, by its frauds and crimes, disfranchised the legal majority in the State, and Tilden counted its electoral vote as the representative, not of its legal popular majority, but of its Five Points and its criminal classes.

**The Tilden vote in Indiana, New Jersey, and Connecticut—Fraudulent Naturalization, Wholesale Repeating, etc.**

In like manner, and for like reasons, Tilden counted the electoral vote of Indiana, only carried for him by the fraudulent Kentucky vote, principally in three counties, against the legal popular majority of the State; and of New Jersey and Connecticut, only carried for him by colonization, false naturalization and registration, and wholesale repeating, violently disfranchising, as

in New York, the legal popular majorities of those States.

**In the Tilden States South, Crime rioted in all manner of Devilry—His vast majorities in the Solid South the work of organized violence and fraud—States like Alabama and Mississippi, Republican by 40,000 and 50,000 majority, made to give Tilden 80,000.**

In the South the violence and fraud was even more notorious and flagrant, and the pretended popular majorities even greater cheats. The election, indeed, was simply an infamous and bloody farce; it was no election. In the States of Georgia, Kentucky, Arkansas, Tennessee, Texas, etc., with the State Governments and all the machinery of election under the control of the Confederates, no Republican organization or canvass was permitted, and the pretended popular majorities returned are simply the handiwork of their returning boards or State officers. In North Carolina, there is little doubt the Republicans carried the State by a handsome majority on the legal vote. The returns show that their candidates polled a heavier vote than was ever before polled by any party in the State, but the ballot-box stuffing in the Vance counties disfranchised the legal popular majority in the State. In Alabama and Mississippi crime rioted in all manner of devilry. In the two States, both confessedly Republican by at least sixty or seventy thousand votes, the pretended Democratic majorities reach 80,000; and as in Mississippi and Alabama, so by systematic intimidation, through organized violence and blood, they desperately attempted to wrest South Carolina, Louisiana, and Florida from their legal Republican majorities.

**Tilden did not Lawfully carry Six of the Seventeen States counted for him—On Lawful vote was in an immense Minority of the popular vote as he was of the Nation.**

Hence, if we strike from Tilden's poll the majorities thus obtained through gigantic fraud, he did not carry six of the seventeen States claimed for him, and he would stand in an immense minority of the legal popular vote, as he did in the representation of the wealth and intelligence of the nation.

**The Presidential Election of 1876 an infamous and Violent Fraud, without a parallel in the History of Free Government—A Rebellion by all Malignant Agencies to Disfranchise the legal popular majorities of the States—To destroy the popular principle underlying the Constitution and substitute the Tyranny of the old Oligarchy.**

The infamous and violent fraud, in the form of an election in 1876, has no parallel in the history of free government. In 1861 the Democratic rebellion was, by force of arms, to destroy the Union, to blot out the Republic from the family of nations, and to erect an oligarchy, based upon negro slavery—upon the ruins of American liberty. In 1876 the Confederate Democratic conspiracy was but slightly modified—a rebellion by all malignant agencies, by systematic intimidation and fraud, through organized violence and murder, to disfranchise the legal popular majorities of the States, to subvert the Constitution, to destroy the popular principle underlying it and our laws and substitute for it, in the rule of the government and nation, the old oligarchal tyranny!

## PART VIII.

### **The United States under the Forty-Sixth Congress an Oligarchy.**

**The Democratic Majority of the House in a Minority of the Popular Vote by which they were Elected—A Minority of the Electoral Colleges—A Minority of the Population, Wealth, Taxes, and Intelligence of the Nation—The Unlawful Domination of an Unprincipled Minority—Table giving the Facts and Figures.**

What is an oligarchy? Webster defines an oligarchy as "a form of government in which the supreme power is placed in the hands of a few persons;" that is, the rule or reign of a minority. And what in the United States, under the two Confederate Houses of the Forty-sixth Congress was the character of the reign? Was it not that or an oligarchy—that of the unlawful domination of an unprincipled minority—a minority of the vote actually and pretendedly cast in the election of the members of the House of Representatives, as also a minority of the electoral colleges—a minority of the population, of the wealth, taxes, and intelligence of the States and nation; but which, through violence and blood, and a multitude of infamous and fraudulent agencies seized upon a majority of the National Legislature, trampled under foot the Constitution and the laws, usurped the powers of the majority, and despoiled it and the nation of millions annually through the taxation of its industry and wealth.

The following table, compiled in 1879, from official data, demonstrates the truth of the above:



## A.

	States.	Electoral vote.	Vote in 1878 for House of Representatives of 46th Congress—	Population in 1870.	Wealth in 1870.	Illiteracy—cannot read, according to census of 1870.	Taxation in 1878—	
							From Customs.	From Internal Revenue.
REPUBLICAN.								
1	California.....	6	.....	550,247	\$633,767,017	24.877	\$6,444,933 20	\$2,146 790
2	Colorado.....	3	28,626	39,864	21,243,303	6.297	.....	83,508
3	Connecticut.....	6	102,423	537,451	774,631 524	19.680	366 167 97	580,336
4	Illinois.....	21	450,145	2,533,891	2,121,680 579	86.368	1,590,873 01	19,668,791
5	Iowa.....	11	257,986	1,194,020	717 644,750	24.115	16 55	95,851
6	Kansas.....	5	137,802	361,399	188,892 014	16.369	.....	153,358
7	Maine.....	7	121,478	626 915	348,155,671	13.486	316,601 34	70,696
8	Massachusetts.....	13	253,218	1,457,351	2,132,148,741	74.935	13,051,010 19	2,424,361
9	Michigan.....	11	255,423	1,184,059	719,208,118	31.613	273,497 52	1,602,803
10	Minnesota.....	5	99,651	439,706	228,909,590	12.747	41,454 72	275 003
11	Nebraska.....	3	50,217	122 993	69,277,483	2.365	.....	699,821
12	Nevada.....	3	18,771	42,491	31,134,012	727	.....	59,017
13	New Hampshire.....	5	75 605	318 300	252,621,112	7.618	14,324 86	228,188
14	New Jersey.....	9	195,761	906 0 6	940,976,064	37.057	2,325 90	5,095,325
15	New York.....	35	806,482	4,382,759	6 500,841,261	163.501	93,085,262 81	14,951,520
16	Pennsylvania.....	29	694,103	3 521,951	3 808,340,112	131.728	6,953,768 63	5,917 422
17	Rhode Island.....	4	18,242	217 333	206,965 616	15.416	162,443 97	246,760
18	Vermont.....	5	59,573	330 551	235 319,553	15.185	397,183 56	44,339 9
19	Wisconsin.....	10	206,172	1,054,670	702,307,329	35.031	53,833 88	2,431,301
		191	3,834,684	19,841 070	21,828,096 882	722,115	122,657,753 11	57,638,194
DEMOCRATIC.								
1	Alabama.....	10	88,366	996,992	201,855,841	349,771	52,287 31	137,970
2	Arkansas.....	6	49,884	484,471	156,394,691	111,759	.....	115,736
3	Delaware.....	3	13,542	125 016	97,110 833	19,356	19 923 03	480,937
4	Florida.....	4	39,562	187,748	44,113,655	66,238	304,592 91	181,821
5	Georgia.....	11	125 257	1,184,109	263,169,207	418,563	86,452 74	333,520
6	Indiana.....	15	406,238	1,680,637	1,269,180,543	76,634	1,015 50	5,710,838
7	Kentucky.....	12	160,005	1,321,011	601 318,552	219,567	47,364 56	6,880,614
8	Louisiana.....	8	.....	726,915	323 125,636	237,184	1,586,631 98	860,641
9	Maryland.....	8	131,694	780,891	643,748,976	114,100	2,962,106 70	2,320,795
10	Mississippi.....	8	51,820	827,922	209,167,315	291,718	4,375 19	86,224
11	Missouri.....	15	322,003	1 721 295	1,234,922,897	146,771	1,523,153 68	5 071,233
12	North Carolina.....	10	129,009	1 071,361	261,757,214	339,789	38,436 68	1,818,460
13	Ohio.....	22	588,577	2 665,260	2,235,430,300	92,720	417,556 41	14,770,506
14	Oregon.....	3	33,421	90,923	51 5 8,332	2,609	144,745 19	61,683
15	South Carolina.....	7	162,155	705,603	208,146,989	235,892	70,035 99	119,242
16	Tennessee.....	12	141,875	1 255,520	498,237,721	290,549	20,773 44	844,485
17	Texas.....	8	178,444	818 579	150,052,542	189,423	153 884 22	265,932
18	Virginia.....	11	124,334	1,225,163	409,588,133	390,913	53,388 95	6,501,770
19	West Virginia.....	5	94,929	442,014	190,651,491	48,802	2,199 65	326,472
		178	2,839,135	18,314,435	9,114,681,561	3,722,388	7,489,094 07	46,880,439
Major. in favor Rep. States.....		13	995,549	1,526,635	12,713,415,321	.....	115,168 659 04	10,757,754
Major. in favor Dem. States.....						3,000 273		

## RECAPITULATION.

	Rep. States.	Dem. States.	Rep. Majority.	Dem. Majority.
Electoral vote.....	191	178	13	.....
Vote in 1878 for House of Representatives of 46th Congress.....	3,834,684	2,839,135	995,549	.....
Population in 1870.....	19,841,070	18,314 455	1,526,635	.....
Wealth according to ninth census.....	\$21,828,096,882	\$9,114,681,561	\$12,713,415,321	.....
Illiteracy—cannot read.....	722,115	3,722,388	.....	3,000,273
Taxation, 1878, from customs.....	\$122,657,753 11	\$7,489,091 07	\$115,163,659 04	.....
"    "    " internal revenue.....	\$57,638,193 00	\$46,880,439 00	\$10,757,754	.....

**Not a Showing of a "Solid North" as Against a "Solid South," but a Showing upon the basis of the Actual Representation in the House—The Democracy in a Hopeless Minority.**

The above is not a showing of a "Solid North" as against a "Solid South," but a showing upon the basis of the actual representation in the National House of Representatives of the Forty-Sixth Congress, including in the Democratic States Indiana and Oregon, as also Ohio, which through the infamous gerrymandering of the State by the Democracy had a Democratic majority in its representation in the House, while the Republicans had in 1878 a plurality of 10,998 in the vote by which they were elected. But even with the suppression, either by violence or fraud, or both, of the entire Republican vote in all the States South, and granting the Democracy in the Confederate States the fraudulent figures which they claim, with the strength and wealth of Indiana, Ohio, and Oregon, all of them upon a fair and constitutional vote decidedly Republican States, the majority in the two Confederate Houses of Congress, the Confederate Democracy in the Senate and House, are in the country in a hopeless minority.

**Recapitulation of the Facts—The Relative Electoral and Popular Vote—Population and Wealth of the Democratic and Republican States in the House—The Republican States embraced Three-fourth of the Total Wealth of the Nation.**

In illustration let us recapitulate the facts in the above table.

In the electoral colleges the Republican States, as represented in the present House, have 191 votes against 178 of the Democratic States—a Republican majority of 13.

On the popular vote, exclusive of California, as reported as cast in 1878, for Congress, with all its violence and tremendous Democratic frauds, its suppression of the entire Republican vote in all the Confederate States, the 19 Republican States embraced a total of 3,884,684 votes against 2,899,135 of the Democratic States—a Republican majority of 995,549, and, including the vote of California, a Republican majority of over a million votes.

In population, according to the census of 1870, the 19 Republican States embraced 19,841,070, persons against 18,314,435 of the Democratic States—a Repub-

lican majority of 1,526,635—a Republican majority of over a million and a half.

Of the wealth of the nation, of a total valuation of \$30,942,778,443, the Democratic States possessed only \$9,114,681,561; the Republican States possessed \$21,828,096,882—\$12,713,415,321 more than the Democratic States; indeed, nearly *three-fourths* of the total wealth of the nation.

**Taxation of the Respective States—Custom Duties Collected in 1868—Fifteen-Sixteenths Collected in the Republican States—Collections of Internal Revenue.**

Of the taxation for the support of the Government to meet the vast liabilities saddled upon the nation as the effect of the Democratic rebellion for the destruction of the Constitution and the Union, of a total of \$130,146,847.18 paid in 1878 as customs duties, 122,657,753.11 was collected in and paid by the Republican States—only \$7,489,094.7 was collected in or paid by the Democratic States; that is, \$115,168,659.05 more were collected and paid in the Republican than in the Democratic States, or in the Republican States were paid over *fifteen-sixteenths* of the whole customs revenue of the nation. Of a total of \$104,518,632 from internal revenue in 1878, \$57,638,192 was collected and paid in the 19 Republican States, and \$46,880,439 in the Democratic States; that is, \$10,757,754 more were collected and paid in the Republican than in the Democratic States.

**Internal Revenue Collected in all the States from 1866 to 1878—The immense Cost of the Rebellion—\$2,055,397,846 Collected as Internal Revenue—of Which the Eleven Confederate States, the Authors of our Public Debt, Paid Only \$210,906,096—Ohio Alone Paid \$13,104,524 more than All the Confederate States Combined—Illinois \$9,981,216 more than All the Confederate States, and New York nearly twice as much as All the Confederate States.**

In 1878 only whisky and tobacco, banks and bankers, and patent medicine adhesive stamps were taxed. But the following table shows who, in the previous 13 years, since the close of the rebellion, paid the vast sums collected as internal revenue:



## B.

Years.	Collected in all the States.	Collected in the eleven Confederated States.	Collected in Ohio.	Collected in Illinois.	Collected in New York.
1866.....	\$309,226,813 42	\$20,645,919 16	\$25,237,710 12	\$15,249,678 00	\$68,810,834 76
1867.....	266,077,587 43	34,604,660 48	20,134,516 35	11,956,633 08	57,973,220 95
1868.....	191,087,589 41	31,332,186 85	12,364,867 99	7,624,747 89	39,044,583 49
1869.....	158,356,460 86	9,861,765 97	16,135,972 81	13,065,230 23	35,497,463 68
1870.....	184,899,756 49	14,603,147 26	19,437,515 04	18,186,366 35	36,514,889 37
1871.....	143,098,153 63	11,633,429 85	15,295,450 73	15,270,842 03	28,665,188 96
1872.....	130,612,177 72	9,927,281 96	14,928,135 07	15,798,722 40	23,446,577 34
1873.....	113,729,314 14	12,271,587 43	14,870,277 83	16,452,020 60	19,312,323 60
1874.....	102,409,784 90	10,517,422 55	15,044,834 77	15,357,933 15	15,285,280 87
1875.....	110,007,493 58	11,919,151 92	14,707,712 50	17,678,267 57	15,224,856 74
1876.....	116,700,732 03	11,120,556 11	16,591,136 59	23,708,545 60	14,609,335 07
1877.....	118,630,407 83	12,321,994 16	15,479,511 30	21,896,588 24	14,458,326 50
1878.....	110,581,624 74	11,142,042 45	14,762,979 94	19,631,732 21	14,963,899 92
Total in 13 years....	2,055,397,846 18	201,906,096 15	215,010,620 54	211,887,312 35	384,406,776 25

Thus in 13 years, from 1866 to 1878, in support of the national honor, as a means of honestly and promptly liquidating the immense obligations inflicted upon the nation by the Democracy in rebellion, the Government was compelled to collect of the people, as internal revenue, the mighty sum of \$2,055,397,846.18! Of that sum the 11 Confederate States, the guilty authors of our immense public debt, paid only \$201,906,096.15! The single loyal State of Ohio alone paid \$215,010,620.54, or \$13,105,524.39 more than all the Confederate States combined. Illinois alone paid \$211,887,312.35, or \$9,981,216.20 more than all the Confederate States. New York alone paid \$384,406,776.25, or \$182,500,680.10 more than all the Confederate States—nearly twice as much as all of them combined.

**Democratic States embraced nearly Five-sixths of all the Ignorance of the Nation—The Southern Democracy, an Oligarchal Minority, Looking to the Spoils of the National Treasury, the Sack of the Nation, as a means of Rescuing its Leaders from Bankruptcy, Impudently Usurp the Power of Taxing the Nation.**

And with this comparative poverty, this immense inferiority in the popular vote as in population and wealth, this immense inferiority as taxpayers, the Democratic States monopolized almost wholly all the ignorance, with its consequent evils, of the nation. According to the census of 1870, as shown above, in table "A," the 19 Republican States contained only 722,115 persons of all ages who cannot read; but the Democratic States, the land of the ku-klux, shot-gun, and bowie-knife, the bloody ground of political murders, outrage and fraud, contained 3,722,388, or 3,000,273 more than the Republican States, nearly five-sixths of all the ignorance of the nation.

Nevertheless, this minority, the Confederate and Copperhead Democracy, ignorant, violent and bloody, and looking to the spoils of the national Treasury, the sack of the nation, through a conquest of the National Government, as a means of rescuing its oligarchal leaders, the old pro-slavery land-owners of Secessia, from personal bankruptcy and sinking into obscurity as a parvenu class, this seditious and disloyal minority, through violence and fraud in a thousand forms, seized upon a majority of the two Houses of Congress. *They again impudently usurped the power of taxing the majority!*

**Usurpation in 1878, through Shot-gun Outrages, Bloody Raids, and Ballot-box Stuffing, have given the Democracy both Senate and House—Analysis of the Figures and Facts.**

And by what agencies did these old conspirators against the honor, the liberties and peace of the nation, succeed in thus practically subjugating the nation—its numbers, wealth, and intelligence? Let us analyze the composition of the two Houses of Congress, and review the agencies by which they were elected.

In the House, of its present 293 members, the Democracy counted 155; 55 from the North. The Republicans counted 137, only 6 from the South. Thus the South, the old Confederate enemies of the Republic, were solid against the nation, were solid in a new conspiracy to subvert the constitutional rule of the majority, to force the loyal masses, as of old, to pay them tribute, to remunerate the Confederacy and its leaders for their losses in the rebellion which they fomented for the destruction of the nation and its liberties. They have suppressed violently and fraudulently the Republican vote in all the States South. Although in 1876 the Republicans polled, even by the Confederate count, 1,096,-

626 votes; although on the color line alone, 27 Congressional districts South were Republican, and should in the Forty-sixth Congress have been represented by Republicans, yet 6 Republicans only were returned from that section to the House. Undoubtedly other districts of the Confederacy, upon a constitutional, free, or fair vote, would have returned Republicans; but merely strike from the Democratic vote in the House that of the 21 districts notoriously seized through violence and fraud by the Democracy (155—21—134) and add them to the Republican vote, (137—21—158,) and the House would, as it should, have been Republican by 24 majority. Usurpation through shot-gun outrages, bloody raids and ballot-box stuffing, gave it a Democratic majority of 21. A like result follows in the Senate. Strike from the Democratic vote in that body usurped through violence and fraud, those of Alabama, 2; Arkansas, 2; Georgia, 2; Louisiana, 1; Mississippi, 1; North Carolina, 2, and South Carolina, 2—12, and add them to the Republican vote, (33+12=45,) and the Senate would, as it should, have been Republican by a majority of 15. *Only usurpation through bloody violence, terrorism, and fraud made it Democratic by a majority of 9.*

**Grant's Vote in 1868 and Hayes's Vote in 1876 in the South Violently Suppressed in 1878 in Blood, and Terrorism and Fraud—An Analysis of the Figures and Facts.**

Nor is this review open to doubt. The facts are too clear, too positive, to admit of a successful challenge. In 1868 General Grant received in the South 57 electoral votes, those of Alabama, 8; Arkansas, 5; Florida, 3; Missouri, 11; North Carolina, 9; South Carolina, 6; Tennessee, 10; West Virginia, 5. In 1872, General Grant received in the South 57 electoral votes, those of Alabama, 10; Florida, 4; Mississippi, 8; N. Carolina, 10; S. Carolina, 7; Virginia, 11; and West Virginia, 5. But in 1876, General Hayes received in the South only 19 electoral votes, those of Florida, 4; Louisiana, 8; and South Carolina, 7. What, in 1876, had become of the Republican majorities in Alabama, Arkansas, Missouri, North Carolina, Tennessee, Virginia, and West Virginia, by which General Grant in 1868 received 57 electoral votes, and in 1872 47 votes? *Violently suppressed in blood, and terrorism, and fraud!*

**Grant's Vote in 1868, and Hayes's Vote of 1876, in Arkansas, Suppressed in 1878 in Blood, and Terrorism, and Fraud—An Analysis of the Figures and Facts.**

In Arkansas, in 1868, General Grant received 22,112 votes and the electoral

college of the State. On the Congressional vote of 1868, the Republicans polled 22,030 votes, and elected 2 of the 3 members of Congress, and the Legislature, on joint ballot, a majority of 98. In 1872, General Grant received 41,373 votes and the electoral college of the State; the Republicans elected 2 members of Congress, and 40 majority of the Legislature on joint ballot. Even in 1876 General Hayes was allowed 38,669 by the Confederate count. But the Democratic vote was fraudulently placed at 58,071. A solid Democratic delegation to Congress was declared, and the Legislature, on joint ballot, from 98 Republican majority was transformed into 86 Democratic majority. In the first Congressional district of the State, in 1868, the vote was, for the Republican candidate, 7,151; for the Democrat, 6,987=14,138. In 1876, in that district, no opposition was allowed, and the Democratic candidate for Congress quietly counted 15,841 votes, the total vote of the district; but in 1878 a count of only 8,863 was all that was needed to send a Democrat to Congress, while the Republican vote disappeared from the State. What, in 1878, had become of Grant's majority of 1868 and 1872? What, indeed, of Hayes's vote in 1876 of 38,669, an absolute majority of the actual vote of the State? *Suppressed in blood, and terrorism, and fraud!*

**Grant's vote in 1868 and Hayes's vote in 1876, in Georgia, Suppressed in 1878 by the Ku-Klux in Blood and Terrorism and Fraud—An Analysis of the Figures and Facts.**

In Georgia, in 1866, the registered vote of the State was: white, 95,303; colored, 93,458; and in 1876, the Republicans polled, even upon the Confederate count, for General Hayes, 50,446 votes. At the Congressional election of 1878, the Republican vote almost wholly disappeared; only 5,257 votes were cast, or rather, counted—3,643 for Wade in the second and 1,614 for Archer in the ninth district; 69,808 votes elected the nine members of the present House, a solid anti-Republican delegation to Congress. In 1876, in the third Congressional district of the State, the Republicans polled 4,280 votes for Pierce, for Congress; but in 1878, only two years later, Cook, Democrat, was elected to the House by a total vote of only 2,628. What had become of the 4,280 Republican votes polled in 1876 for Pierce? In 1878, in the eighth district, Alexander H. Stephens was elected to the House by a total vote of only 3,355 against 58 scattering. In 1876, in the sixth district, the Republicans polled 4,578 votes for Gove for Congress; but in 1878, Blount, Democrat, was elected to the House by a total vote of only 3,192. What had become



of the 4,578 Republican votes polled for Gove in 1876, only two years before? What, indeed, had become of the 50,446 polled only two years before, in 1876, for Hayes? *Suppressed by the Ku-Klux in blood and terrorism and fraud!*

**Grant's vote in 1868 and Hayes' vote in 1876, in Louisiana, Suppressed in 1878 by the Knights of the White Camelia in Blood and Terrorism and Fraud—An Analysis of the Figures and the Facts.**

In Louisiana, in 1867, the registered vote was: colored, 84,431; white, 45,199—a Republican majority on the color line alone of 39,232. In 1872, Grant received 71,663 votes, and the Republicans elected a solid delegation to Congress. In 1876 the registration showed a Republican majority of 22,314. Even by the Confederate count in 1876 General Hayes received 77,174 votes, but only two years later, in 1878, that heavy Republican vote disappeared, and a unanimous Confederate delegation was returned to Congress. What had become of the registered Republican majority in the State from 1867 to 1876? What, indeed, of Hayes' heavy vote of 1876? *Suppressed by the "Knights of the White Camelia" in blood and terrorism and fraud!*

**Grant's vote in 1868 and Hayes' vote in 1876, in North Carolina, Suppressed in 1878 in Terrorism, Blood, and Fraud—An Analysis of the Figures and Facts.**

In North Carolina, in 1868, General Grant received 96,769 votes, (12,168 majority,) and the electoral college of the State. The Republicans elected 5 of the 7 members of Congress, and of the Legislature, on joint ballot, a majority of 70. In 1872, Grant received 94,769 votes (24,720 majority,) and the electoral college of the State. In 1876, General Hayes, even by the Confederate count, received 108,417 votes, but only two years later, in 1878, that large vote, a majority of the actual vote cast in 1876, almost wholly disappeared. In the first Congressional district 12,565 Republican votes were counted, and a Republican returned to Congress. In 1876, in the sixth Congressional district, the Republicans polled 10,283 votes for Jordan for Congress, but in 1878 a count of only 4,908 votes returned a Democrat (Steele) to Congress. Only 258 were counted against him. What had become of the 10,283 Republican votes polled in the same district only two years before? In the eighth Congressional district, in 1876, the Republicans polled for Hampton for Congress 7,493 votes, but in 1878 a count of only 2,894 votes returned Vance, Democrat, to the present House.

What had become of the 7,493 Republican votes polled in the same district only two years before? What had become of Grant's heavy majorities of 1868 and 1872? What, indeed, of Hayes' large vote in 1876? *Suppressed in terrorism, blood, and fraud!*

**Grant's vote in 1868 and Hayes' vote in 1876, in Alabama, Suppressed in 1878 in Blood and Terrorism and Fraud—An Analysis of the Figures and Facts.**

In Alabama, in 1867, the registered vote was: colored, 90,340; whites, 74,450, a Republican majority on the color line alone of 15,890. In 1868, General Grant received 76,866 votes and the electoral college of the State. In 1872 Grant received 90,272 votes and the electoral college of the State. The Republicans elected 5 of 7 Congressmen and a heavy majority in the Legislature. Even in 1876, under the manipulation and frauds of the Confederates, 68,230 votes were counted for General Hayes; but only two years later, in 1878, at the election for governor, not a single Republican vote was counted. In the fourth Congressional district, 6,545 Republican votes were counted for Haralson for Congress against 8,514 for Shelley, a Democrat. In 1870, the population of that district, embracing the counties of Dallas, Hale, Lowndes, and Perry was, colored, 109,218; whites, 32,349, a colored majority in population of 76,869. In 1876 the Republicans were allowed a count of 15,750 votes; but in 1878 a count of only 8,514 returned a Democrat to Congress in a district Republican by a majority at least of 10,000. On the State ticket no opposition was tolerated, and the Republican vote, a majority of the State, wholly disappeared. What had become of Grant's majorities of 1868 and 1872? What, indeed, of Hayes' vote in 1876 of 68,230? *Suppressed by the shotgun in blood and terrorism and fraud!*

**Grant's vote in 1868 and Hayes' vote in 1876, in South Carolina suppressed in 1878 by the Rifle Clubs in Blood and Terrorism and Fraud—An Analysis of the Figures and Facts.**

In South Carolina, in 1876, the registered vote was: colored, 80,286; whites, 47,010—a Republican majority on the color line alone of 47,010. In 1870, the population of the State was: colored, 415,814; whites, 289,073—a colored majority of 126,741. In 1868, at the Presidential election, General Grant received in South Carolina 62,301 votes and the electoral college of the State. In 1872, Grant received 72,290 votes (49,587 majority) and the electoral college of the State. A solid Republican delegation was elected to Congress, and of the Legislature on joint ballot a majority of 95. In

1876, General Hayes received 10,798 votes; Tilden, supported by the rifle clubs, only 90,906. But in 1878, how many Republican votes were cast, or rather counted? On the governor's vote not one. Only 213 were counted as scattering. Not a single Republican member was returned to Congress. The Democratic vote was increased to 119,550, by which was elected the 5 members of the House, a solid delegation to Congress, and of the Legislature on joint ballot a majority of 142. What in 1878 had become of Grant's heavy majorities of 1868 and 1872? What, indeed, of Hayes' vote of 91,786 polled in 1876—only two years before? *Suppressed by the rifle clubs in blood and terrorism and fraud!*

**Grant's Vote in 1868 and Hayes' vote in 1876, in Mississippi, Suppressed in 1878 in Blood and Terrorism and Fraud—An Analysis of the Figures and Facts.**

In Mississippi, in 1867, the registered vote was: colored, 60,167; whites, 46,636. The population in 1870 was: colored, 444,201; whites, 382,896—a Republican majority on the color line alone of 61,305. In 1869, Alcorn's (Republican) majority was for governor 38,089. In 1872, General Grant's majority was 34,877. In 1873, Ames' (Republican) majority for governor was 20,467; and in 1874 the Republican majority on joint ballot in the Legislature was 20,467; and in 1874, that majority on joint ballot in the Legislature was 30. In 1876, even by the Confederate count, General Hayes received 52,605 votes. But in 1878, the Republican vote, an immense majority of the State, almost wholly disappeared. Only 2,085 Republican votes were returned as cast, a solid Confederate delegation was returned to Congress, and an almost unanimous Democratic Legislature was counted in. What, in 1878, had become of the Republican majority of the State? What, indeed, of Hayes' vote in 1876? *Suppressed by the shot-gun in blood and terrorism and fraud!*

**Organization of the Senate and House of the Forty-Sixth Congress—In the Senate the Confederate Brigadiers Monopolize the Committees—An Analysis of the Senate Committees.**

And in the organization of the two Houses of Congress, the power thus usurped through violence and blood was recognized and enlarged. In the Senate the Democracy counted 42 votes—30 from the South and only 12 from the North. In the House they counted 155 votes—100 from the South and only 55 from North.

In the Senate, of its 28 standing committees, the Confederates had the chairmanship of 17 of the most impor-

tant—those on Privileges and Elections, on Finance, Appropriations, Commerce, Agriculture, Post Offices and Post Roads, Indian Affairs, Pensions, Claims, District of Columbia, Territories, Education and Labor, Railroads, Civil Service and Retrenchment, etc. And they had not only the chairmanships of these important committees, but all the committees of the Senate were so constituted as to give the control of them to the Confederates. In every case the majority of the committee was Democratic; but a majority of that majority was also Confederate, which gave the latter a control of the committee by controlling the majority. Thus:

The Committee on Privileges and Elections, always a most important committee, as it practically decides all cases of contested seats in the Senate—all questionable rights to seats—was composed of 9 members—6 Democrats and 3 Republicans; but 5 of the 6 Democrats were Confederates; 1 was from the North or loyal States.

The Committee on Finance was composed of 9 members—5 Democrats and 4 Republicans; but 3 of the 5 Democrats were Confederates.

The Committee on Appropriations was composed of 9 members—5 Democrats and 4 Republicans; but 3 of the 5 Democrats were Confederates.

The Committee on Commerce was composed of 9 members—5 Democrats and 4 Republicans; but 4 of the 5 Democrats were Confederates.

The Committee on Post Offices and Post Roads was composed of 9 members—6 Democrats and 3 Republicans; but 5 of the 6 Democrats were Confederates.

The Committee on Claims, just then, in view of the immense amount of pending rebel claims—hundreds of millions—a committee of the grandest importance to the South as it is to the nation, was composed of 9 members—5 Democrats—all Confederates—and 4 Republicans.

The Committee on the Election of President and Vice-President, truly a most important committee to our whole people, was composed of 9 members—6 Democrats and 3 Republicans; but 4 of the 6 Democrats were Confederates.

And so on through all the Senate Committees. A majority of the majority of the committee was Confederates, and consequently control it under the caucus rule on all important questions.

**The Petty State of Delaware given the Chairmanship of the two Important Committees of Privileges and Elections, and Finance—The great State of New York the Committee on Patents—The great Maritime and Industrial States, the great Taxpayers of the Nation, excluded from all voice in shaping the Legislation of the Nation.**

The petty State of Delaware was given



the chairmanship of the two important committees on Privileges and Elections and Finance; the great State of New York the Committee on Patents. West Virginia was given the Committee on Appropriations; the great State of Pennsylvania that on the Revision of the Laws. Georgia was given the Committee on Commerce, Texas the Committee on Post Offices and Post Roads; Virginia the Committee on Pensions, North Carolina the Committee on Railroads, Tennessee the Committee on Education and Labor, South Carolina that on Civil Service and Reform; while the great maritime and industrial States of the North, East and West, the great taxpayers of the nation, the proprietors of its wealth, thrift and intelligence, were practically excluded from any voice in shaping legislation for the control of the interests in which their citizens are so largely concerned.

**In the House twenty-two Confederate Brigadiers given the most important chairmanships—Analysis of the House Committees.**

In the House the same rule governed in the distribution and composition of its committees. Of its standing committees, 42 in number, 23, and the most important ones, had Confederate chairmen—those on Appropriations, on Banking and Currency, Commerce, the Judiciary, Pacific Railroads, Railway and Canals, Coinage, Weights and Measures, Post Offices and Post Roads, Claims, Education and Labor, Accounts, etc. As in the Senate, so in the House—all the committees were so constituted as to give the control of them to the Confederates. Thus:

The committee on Elections, which practically decides all cases of contested seats, was composed of 15 members—9 Democrats and 6 Republicans; but 6 of the Democrats, a majority of the majority, was Confederates—only 3 were from the North or loyal States.

The Committee on Ways and Means, the committee which controls or fixes the taxes of the nation, was composed of 13 members—8 Democrats and five Republicans; but five of the Democrats were Confederates.

The Committee on Appropriations was composed of 15 members—9 Democrats and 6 Republicans; but 6 of the 9 Democrats were Confederates.

The Committee on Banking and Currency was composed of 11 members—7 Democrats and 4 Republicans; but 4 of the Democrats were Confederates.

The Committee on Pacific Railroads was composed of 13 members—8 Democrats and 5 Republicans; but 6 of the 8 Democrats were Confederates.

The Committee on War Claims, the committee which must decide on all rebel claims, was composed of 11 mem-

bers—6 Democrats and 5 Republicans; but 4 of the 6 Democrats were Confederates.

The Committee on Commerce was composed of 15 members—10 Democrats and 5 Republicans; but 7 of the 10 Democrats were Confederates.

The Committee on Post Offices and Post Roads was composed of 11 members—7 Democrats and 4 Republicans; but 5 of the 7 Democrats were Confederates.

And so the Committee on Public Expenditures, and the respective committees on the Expenditures of the Executive Departments, the Committee on Foreign Affairs, on the Judiciary, on Accounts, Printing, Invalid Pensions, etc.—all were so constituted as to give the control of them to the Confederates.

**In the Senate and House the Committee on Education and Labor given to the ex-Confederate Brigadiers—to the Men whose Maxim prior to 1861 was "Slavery is the Natural and Normal condition of the Laborer"—"Liberty for the few; Slavery in every form for the Masses."**

In both Houses the Committee on Education and Labor was given to the Confederates. In the Senate 3 of the 4 Democrats, constituting the majority of the committee, were Confederates; and in the House the majority of the committee were all Confederates—(5 Confederates, and 4 Republicans)—were all men the cardinal maxims of whose caste in the oligarchy, prior to 1861, and who act upon those maxims to-day in their States in their treatment of the laborer, were, that "certain menial employments," all manual labor, "are incompatible with mental cultivation," with education, and accordingly punished then, as now, as crimes, all attempts to introduce within their limits popular education; that "raiment, food and shelter," the physical wants of the laborer; that the negro, brutalized by slavery, was in bondage superior "mentally, morally, and socially" to the white workingmen in freedom. Hence, that "*slavery was the natural and normal condition of the laborer*;" that "*slavery was right and necessary, whether white or black*," and lustily shouted as their favorite slogan; "*Liberty for the few—slavery in every form for the masses!*" Such were, up to the latest hour of their old dominion, and are now, the principles and the aims—the revival and extension of slavery, and the perpetuity of ignorance among the masses—of the oligarchal caste to which in both Houses of Congress had been given, and designedly, the Committees on Education and Labor.

**In both Houses the Committees on the Ascertainment and Declaration of the Election for President and Vice President given to the ex-Confederates as a means of Seizing upon the Presidency, &c.**

And as a part of this great usurpation the committees on the Ascertainment and Declaration of the Election of President and Vice President were in both Houses in the hands of the Confederates. In the Senate the committee was composed of 4 Confederates, 1 Northern Democrat, and 3 Republicans. In the House the committee was composed of 7 Democrats and 4 Republicans; but 4 of the 7 Democrats were Confederates; and so constructed deliberately with implied instructions to devise and report some plan or scheme, however unlawful or revolutionary, by which to enable the oligarchal minority to count out the loyal or national candidates for President and Vice President, if elected by the people, no matter how large their majority on the popular vote, or how decided in the electoral colleges, to fraudulently seize upon the Presidency; to restore by force and fraud the Confederates in all branches of the National Government.

**The Bourbon Minority transferred to to the Halls of Congress the turbulent Spirit which rules in their States—They attempted to Coerce the President by Revolutionary Expedients—The Rule of the Caucus in which the ex-Confederates Dominated.**

Sedition, treasonable plottings, turbulence, and scenes of blood and devilry like the Chisholm massacre and the Dixon assassinations, and the countless assassinations during the last twelve years all over the late Confederacy, are indigenous to their daily life. Like the brutal oligarchs or pro-slavery nobles of the Middle or Dark Ages, whose institutions or laws our old slave owners largely adopted, imbibing with them the sanguinary and cruel instincts of the ages from which they were adopted, and whose tyranny and lives they still imitate; like those noble oligarchs, as ignorant as sanguinary, ever in revolt against their king, or engaged in furious raids against their neighbors, murdering, burning, and plundering; like them, to our old pro-slavery oligarchs, our recent slave owners and their descendants, the exercise of power through violent scenes of devilry forms the highest gratification of their natures. Peace, obedience to law, is absolutely their hell. Hence into Congress, upon obtaining possession of its two houses,

they naturally transferred the turbulent spirit which rules in their States, and attempted to coerce the President by revolutionary expedients—by riders on appropriation bills—into an approval of or acquiescence in their violent plans under a threat of starving the Government. In all their proceedings during the Congress, the Democracy—a majority of the two houses—substituted the caucus for the law—the caucus for the Constitution. The Confederates or Southern wing of the Democracy, by their numerical preponderance, ruled in the caucus and dictated and shaped all its measures—all of them of a violent or revolutionary character, all of them looking to a consummation of their usurpation—the seizure of the Presidency by violence and fraud through the destruction or repeal of the election laws.

**The ex-Confederates, while plotting the violent seizure of the Presidency, slandered the Republican Savers of the Nation—No troops ever used by Republicans at the Polls—No military interference anywhere by Republicans with elections—"Bloody Monday" in Washington in 1858.**

As in the Confederacy and before the world they load with unmerited calumny the wretched victims of their murderous violence as a justification of their crimes, so in Congress, as a justification of their revolutionary expedients looking to the crowning infamy of their usurpations—the seizure of the Presidency in 1880—they slandered the Republican party; they traduced the party which, while rescuing the nation from their traitorous efforts to destroy it by force of arms, magnanimously spared them the halter denounced by the laws against their crimes; they accused and denounced it as having used, and as being in favor of continuing the use, of troops at the polls. No fouler slander was ever invented or uttered by traitor in extenuation of his guilt. When and where were troops ever used by the Republicans at the polls? At what election? When and where by any party but the Democracy, as at Washington, in June, 1858, on "Bloody Monday," when, under the orders of a Democratic President, James Buchanan, at a petty municipal election, the streets of the national capital were reddened with the blood of its unoffending citizens under the fire of the regular soldiery? No troops were ever so used by the Republican party. Not a single instance has ever been cited—not a single instance can be cited. Not one of such use of troops by any party but the Democracy.



**Ku-Klux and White League Leaders, the Beneficiaries of Wholesale Ballot-box Stuffing and Violent Frauds, raised the cry of an "Untrammelled Ballot," "Free Elections," "No Troops at the Polls" as a Blind—The Government had no troops to use at Elections—The Figures and Facts.**

But the men so recently confederated in arms for the destruction of the Constitution and the laws, and whose presence in the national Senate and House was due wholly to the suppression of the Republican vote in all the States South by bloody violence, by murder, massacre, and intimidation at the polls by the Ku-Klux, White League, and other armed brigand gangs—these men in Congress raised the cry of "*An Untrammelled Ballot*," "*Free Elections*," "*No Troops at the Polls*," as a blind to their own guilt, as well as a justification of their threat to starve the Government in revenge for its protection of the election laws of the United States against their revolutionary efforts to repeal them—their efforts to destroy the only guarantees of the citizen at the polls of a free and untrammelled vote. The dishonesty of the cry, its hypocrisy and transparent purpose, was exposed in the fact that the Government, even if disposed to resort to intimidation at the polls, to violate every rule of its policy and practice, and of the great and law-abiding party which supports it, had no troops at its command for the purpose. At that date there were—

In Alabama 32 United States soldiers in arsenal.

In Arkansas 57 soldiers.

In Delaware not one.

In Florida 132 United States soldiers at 3 separate barracks, navy yards, &c.

In Georgia 29 United States soldiers.

In Kentucky not one.

In Louisiana 239 United States soldiers.

In Maryland 192 United States soldiers at Fort McHenry.

In Mississippi not one.

In Missouri not one.

In North Carolina 30 United States soldiers at Fort at mouth of Cape Fear river.

In South Carolina 123 United States soldiers guarding Charleston harbor.

In Tennessee not one.

In Texas not one outside of frontier guard.

In Virginia 232 United States soldiers at school of practice at Fortress Monroe.

In West Virginia not one.

**In the South one Soldier to a County—One Soldier to every 700 Square Miles a Formidable force with which to Intimidate the Rifle Clubs and other Armed Gangs, &c.—In New England 123 Troops to every 1,000,000 Citizens; in the South only 70.**

In all the South only 1,166 soldiers with which to intimidate a population estimated at 15,000,000 persons. In the South there are 1,203 counties. Hence, there were in the South less than one soldier to a county; only one soldier to every 700 square miles. Truly a formidable force, and one certainly calculated to intimidate the rifle clubs and other armed gangs which infested all the late Confederate States. But in New England, from which were heard no complaints of the election laws, there were 123 United States soldiers to every 1,000,000 of its citizens; in the South only 70. Hence, it was not a fear of the troops which influenced the Democracy in their cry against the election laws, but a wish to remove the United States supervisors of election provided by those laws from the polls on election day, and thus open out to them in the large cities of the North a clear field for the frauds, wholesale illegal voting, and ballot-box stuffing by which they proposed to seize the Presidency.

**The Oligarchy in 1861 and 1878—383,637 Slave-owners prior to 1861 constituted its Dominant or Ruling Faction—They Monopolized all its Honors and Offices—The People the merest Ciphers in all things Political or Social—They had no Voice or Influence in the Body Politic.**

In 1861, in all the South, of its 8,037,075 white people, only 383,637 were slave-owners. But few as they were, they constituted the Southern oligarchy of the past, its dominant or ruling faction. They framed or dictated all its laws upon every subject, social, civil, and political; monopolized all the civil offices of the State, filled its judiciary and all the commands of the militia; interdicted all popular education, burning school-houses, and whipping, expelling or murdering the teachers; educated its ignorant white masses in their own violent sentiments, a hatred of all freedom or progress, and of labor and the laborer, a hatred of the negro or slave as a God-degraded caste, incapable of all improvement. Thus they organized the oligarchy under which they maintained their crushing rule, and punished all hostility to their tyranny in outrage and torture and blood. Literally the people of the South prior to 1861, the white majorities of its respective States, were the merest ciphers in all things political or social. They had no voice or in-

fluence in the body politic. They were held and ruled practically as subjects or serfs of the oligarchal slave-owners.

**Revival of the Oligarchy—The old Slave owners and their Descendants again Trample Out all Freedom of Opinion and Action—Again Monopolize all the Honors and Offices of their States—Again Dominate through the Old Violent Agencies.**

So to-day, in all the States South, certainly in all the recently Confederate States, we have but a revival, a restoration, of the disgusting and degrading old oligarchal rule in all its turbulent wickedness. Again the oligarchal minority tramples into the dust the Constitution and the laws. Again it crushes out all freedom of opinion, all freedom of action, all hostility or opposition to its tyranny in outrage and torture and blood, in massacres like the Chisholm, in assassinations like the Dixon.

The old slave owners, or their descendants, educated in the sedition, tyranny and bloody violence of the old oligarchal system, intensified by the experiences and hatred generated by the rebellion, and comprising but a petty faction of even the white population of their respective States, again monopolize, as a right inherent in their oligarchal caste, all the offices of the State. Again they fill the local judiciary, all the commands of the local militia, all the places of their Legislatures. Again they arrogantly frame all their laws, socially and politically, in the spirit of tyranny and in support of their caste, and again they violently suppress all attempts at popular education.

**These old Conspirators against Freedom and the Nation, for fifty years prior to 1861, dominated in the Government and Nation—They taxed the majority—Exact tribute of the commerce and Industries of the Nation in support of their Peculiar Institution—Monopolized the Honors and Offices of the Nation, and prostituted the Lives and Treasure of the People in Support of Wars for the Aggrandizement of the Oligarchy.**

For over fifty years prior to 1861 these old conspirators against freedom and progress insolently dominated in the Government and nation. They taxed the majority. They exacted tribute of the commerce and industries of the nation in support of their "peculiar institution"—that "execrable sum of all villainies"—domestic slavery. They appropriated, as a matter of right inherent in their caste, the lion's share of the honors, offices, and their emoluments, of the State, at home and abroad. They prosti-

tuted the lives and blood of our people, hundreds of millions of the national treasure, in foreign wars—in infamous schemes for the acquisition of foreign territory for the extension and perpetuity of human slavery, and resisted all plans of internal improvement by the National Government, all plans for the advancement or in aid of the commerce and industries of our people.

**To Rescue their Caste and Slavery from overthrow, these Oligarchs in 1861 raised their mailed hands against the Life of the Nation—They proposed to erect a Barbarism pure and simple—Their Slogan was, "Slavery is the Natural and Normal Condition of the Laborer"—"Liberty for the Few, Slavery in every form for the Masses."**

After such a domination, through so long a period, ever preying like the vulture upon the great heart of our people, these Confederate oligarchs, in 1861, threw up the banner of revolt: they impiously raised their mailed hands against the life of the nation! As a caste the scepter was about to be wrenched from their grasp. Civilization and freedom, and their attendants, popular education and popular rights, with irresistible power, were on all sides pressing their oligarchy, and new lights and aspirations were awakening even among their own white masses. The old brutal, obscene, and tyrannical institution, domestic slavery, was threatened with overthrow: their own supremacy and power as the dominant caste were menaced.

To rescue all from the impending ruin thus threatened by the advance of civilization, to strengthen and perpetuate slavery, and with it their own supremacy and power, they revolted against the nation. Nor did they leave the world in doubt as to their designs—the establishment upon the ruins of the National Union of a new Confederacy, a barbarism pure and simple, with domestic slavery as its corner-stone—a grinding tyranny of oligarchal slave-masters in which would be revived all the horrors of the Dark Ages. For years prior to their revolt, in their press, in Congress, and in their Legislatures, even in their pulpits, they infamously advocated the enslavement of the white masses of the North, as well as those of the South. They declared "free society a failure." One enlightened oligarch, the erudite and astute Keith, of South Carolina, in Congress, declared: "The existence of mechanics and laborers [free white workmen] in society is due to the partial and progressive emancipation of slavery." Slavery, he urged, was their "natural and normal condition;" and declared that "when they [the white working-



man and laborer] stepped out of bondage, they branched off into four constantly recurring subdivisions—the *thief, the beggar, the hireling, and the prostitute.*” Hence, “*free society was a failure,*” “*an abortion,*” “*was radically rotten and wrong!*” And hence their slogan: “*Slavery is the natural and normal condition of the laborer!*” “*Slavery is right and necessary whether WHITE or black.*” “*Liberty for the Few, slavery in every form for the Masses!*”

Thus upon the ruins of the nation, upon the ruins of liberty and free institutions, they proposed to erect a barbarism in which free society and free

labor would be expelled—in which master and slave, the oligarchal few organized into a reigning caste and the masses white and black in slavery, would be the only classes. In that terrible revolt for a purpose so infamous, they, in round numbers, inflicted upon the nation a loss of 500,000 lives, slain in support of the Constitution and the Union, multiplying widows and orphans and woe and suffering throughout the land, a loss in treasure of \$6,200,000,000, and created a debt which will embarrass and burden our children’s children for generations to come.

## CHAPTER IV.

### Political Assessments—Their Origin with the Democratic Party, and their History.

#### PART I.

#### **The Conspiracy of 1876 of the Confederate Brigadiers and Copperhead Democracy to wrest the Control of the National Government from the hands of the Republican Majority.**

The conspiracy of the Democratic minority, in 1876, to seize, through lawlessness and fraud, by every violent, unlawful, or corrupt agency, upon a “solid South,” and through it, and a union with the Copperhead Democracy of the North, to wrest the National Government from the control of the Republican majority by a fraudulent seizure of the Presidency, may now be regarded as practically a confessed fact even by the Democracy; but certainly as a fact established by overwhelming and irrefutable proofs. The Hamburg massacre, the Ellenton riots and their murderous results, the widespread and systematic outrages of the most sanguinary kind, and the systematic intimidation and ballot-box stuffing all over the reconstructed States, preceded by the admitted wholesale frauds and organized murderous violence by which “the Mississippi plan” had in 1875 succeeded in that and other States, in expelling or suppressing their Republican majorities, with the exposure of the infamous cipher dispatches, all combine

in irrefutable proofs demonstrating the existence and the purpose of that conspiracy. These proofs cannot now be successfully assailed.

**President Grant at the Forty-third Congress asks for Power to Protect the Republican Majorities in the Reconstructed States—The Bill for the Protection of Electors in certain States South—A hostile faction of the Republicans, with the aid of the Democracy, defeat the Bill—The Confederate Brigadiers in consequence at subsequent elections in their States capture the House—The House becomes the Centre from which the Conspiracy is operated—Hostile Legislation, false pretenses of Democratic Retrenchment, Bogus investigations by unscrupulous Smelling Committees under an organized system of Espionage, Informers, and Perjury, and other machinery of the Conspiracy.**

At the second session of the Forty-third Congress, President Grant asked for power to enforce the constitutional rights of the Republican majorities in the reconstructed States. In compliance with that request, a bill was introduced into the House for the protection of electors in those States; but a hostile faction of the Republicans, uniting with the Democracy, succeeded in defeating it, and in consequence the Confederate brigadiers, through the most lawless and corrupt practices at the subsequent elections in those States, succeeded in capturing the national House of Representatives. The House thus became the centre of the Democratic

conspiracy of 1876 to seize the Presidency. From it and through it the conspiracy was operated throughout the States. Every agency, corrupt, hypocritical, or other, was pressed into its service: investigations at an immense cost to the nation, by unscrupulous smelling committees, into lying general charges of fraud against the Republican administration, all of which wholly failed to develop a single fact in proof of these charges, but did succeed in unearthing some very unsavory proofs of Democratic corruption in control of the House—all in pursuance of a system of espionage, informers, and reckless perjury as corrupt as any which marked the declining days of ancient Rome; with bogus reductions of the national expenditures for the double purpose of making a false showing of pretended Democratic retrenchment before the country and of crippling the labors or efficiency of the government, and kindred legislation for the purpose of destroying or paralyzing the powers of the Republican majority of the nation.

**The Law Respecting Political Assessments part of the fraudulent machinery of the Democratic Conspiracy of 1876—It prohibits under prescribed penalties certain Government employees from giving any money or valuable thing to any other Government employee of a stated rank for partisan purposes—Passed, not to punish Arbitrary political Assessments, for none were apprehended, but to prohibit Voluntary Contributions to and an effective organization of the Republicans—Arbitrary and Compulsory political assessments had their origin with the Democracy—Were enforced by the Democracy with a corrupt and tyrannical hand up to the latest hour of its long Misrule—When Law of 1876 was passed the Democratic National and other Committees were assessing Democratic Senators and Members, the authors of the Law, for partisan purposes—At New York, wherever the Democrats had control of either State or Municipal Government, they were assessing a pro rata of Salaries ten times greater than 2 per cent.—The Law simply the fraudulent Agent of a corrupt Conspiracy.**

As a part of the conspiracy they enacted the law of 1876 respecting political assessments. That law is as follows:

SEC. 6. All executive officers or employés of the United States not appointed by the President, with the advice and consent of the Senate, are prohibited from requesting, giving to, or receiving from any other officer or employé of the Government any money or property or other thing of value for political purposes; and any such officer or employé who shall offend against the provisions of this section shall be at

once discharged from the service of the United States; and he shall also be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding \$500. (Supplement to the Revised Statutes of the United States, section 6, page 245.)

In that the grand purpose of the Confederate Brigadiers was to defeat if possible the Republican majority in the approaching Presidential campaign by depriving them of the sinews of war, and consequently of the means of an effective organization—by depriving their representative committees, or organs, of the means of communicating with the voters in the country, and discussing before them the issues of the campaign; that too, while actually prostituting the national Treasury as a Democratic campaign fund through the printing of campaign documents as reports of the House and Senate, and so on. They hoped that this law could be made to cover and defeat all voluntary contributions of money to representative Republican bodies, like the Republican Congressional Committee. They knew that there would be no arbitrary or compulsory assessments on anyone, no assessments in fact of any kind, as there had never been, by any Republican body in the government or elsewhere; but by clamor and the passage of this law they hoped to create the lying impression in the country that there had been and would be again, and that the organizations of the Republican party were supported by such assessments. That they did in the teeth of their own party history, in the teeth of the notorious fact that arbitrary and compulsory assessments of government officials for partisan purposes had their origin with the Democratic party; that they were unknown in our party history prior to the beginning of that party; that they had been enforced by the Democracy with a tyrannical hand from its origin throughout its long career of maladministration and fraud up to the latest hour of their misrule; that at the moment of the passage of this act, the Democratic National and Congressional Committees were actually assessing Democratic Senators and members for partisan purposes, and that at New York City, and elsewhere, wherever the Democracy were in control of either State or municipal government, its committees were arbitrarily assessing and forcing the payment of ten times two per cent. of the salaries of officials under their control. All that is shown, supported by indisputable proofs, in the following pages of this chapter. Hence, this Democratic law respecting political assessments, in its origin and essence, as in its purpose, is a miserable Democratic fraud; a fraudulent agent of the violent and corrupt conspiracy in 1876 by which the Copperhead and Confed-



erate minority worked to wrest the control of the National Government from the hands of the Republican or loyal majority.

## PART II.

### **The Contribution Circular of the Republican Congressional Committee — Senator Pendleton's Resolution and Speech, in the United States Senate, on Political Assessments.**

**The Republican Congressional Committee, the organ of the Republican Party instructs its Executive Officers, Chairman Hubbell and Secretary Henderson, to address the usual circular to the Employees of the Executive Government, etc., requesting contributions for Campaign purposes.**

At the beginning of the present campaign, the Congressional Republican Committee, the organ of the Republican party of the nation, located at Washington, D. C., instructed its executive officers, its Chairman, (Judge Jay A. Hubbell,) and its Secretary, (Col. D. B. Henderson,) to address a copy of the usual contribution circular to every employee of the Executive Government.

**The Circular—The Committee organized for the Protection of the Interests of the Republican Party in the Congressional Districts of the Union—In order to Meet all Proper Expenses for Preparing, Printing, and Circulating Suitable Documents and other Expenses incident to the Campaign, the Committee feels Authorized to Apply to all Citizens whose Interests or Principles are Involved in the Struggle—It therefore Requests Contributions from the Persons addressed, for these Campaign Purposes, and Warns Them that the Labors of the Committee will Affect the Result of the Presidential Election, as well as the Present Congressional Struggle—No Coercion even Hinted at or Intended.**

Here is the circular:

[Jay A. Hubbell, chairman; D. B. Henderson, secretary; Executive Committee—Hon. W. B. Allison, Hon. Eugene Hale, Hon. Nelson W. Aldrich, Hon. Frank Hiscock, Hon. George M. Robeson, Hon. William McKinley, Jr., Hon. George R. Davis, Hon. Horatio G. Fisher, Hon. Horace F. Page, Hon. W. H. Calkins, Hon. Thomas Ryan, Hon. Wm. D. Washburn, Hon. L. C. Houk, Hon. R. T. Van Horn, Hon. Orlando Hubbs.]

HEADQUARTERS OF THE REPUBLICAN CONGRESSIONAL COMMITTEE, 1882.  
520 THIRTEENTH STREET, NORTHWEST,  
Washington, D. C., May 15, 1882,

SIR: This committee is organized for the protection of the interests of the Republican party in each of the Congressional districts of the Union. In order that it may prepare, print, and circulate suitable documents illustrating the issues which distinguish the Republican party from any other, and may meet all proper expenses incident to the campaign, the committee feels authorized to apply to all citizens whose principles or interests are involved in the struggle. Under the circumstances in which the country finds itself placed, the committee believes that you will esteem it both a privilege and a pleasure to make to its fund a contribution which, it is hoped, may not be less than \$—. The committee is authorized to state that such voluntary contribution from persons employed in the service of the United States will not be objected to in any official quarter.

The labors of the committee will affect the result of the Presidential election in 1884, as well as the Congressional struggle; and it may therefore reasonably hope to have the sympathy and assistance of all who look with dread upon the possibility of the restoration of the Democratic party to the control of the Government.

Please make prompt and favorable response to this letter by bank check or draft, or postal money order, payable to the order of JAY A. HUBBELL, acting treasurer, post office lock-box 589, Washington, D. C.

By order of the committee,

D. B. HENDERSON,  
Secretary.

**The Circular a Copy of that of 1880, approved by Civil Service Reform President Hayes—It Levies no Assessment—It Pretends to no Power of Coercion—Is simply a Request for Contributions in Support of the Republican Party in its Absolutely Necessary Expenses in the Campaign—A few Circulars Accidentally Sent to Female Officials—Corrected as Soon as Discovered—Senator Pendleton's Resolution and Speech in Senate Arraigning the Committee and Party for Violating the Law respecting Political Assessments.**

This circular, in every particular but its date, is a copy of the Committee's circular of 1880, which was submitted to and received the approval of the then "Civil Service Reform" President Hayes. It levies no assessment. It pretends to no power of coercion, but simply requests contributions from Republican officials in support of the Republican party in the present canvass to meet the absolutely necessary expenses of the campaign, leaving the officials addressed perfectly free to contribute or not. All that is perfectly understood. But the clerks of the Committee, in addressing these circulars, sent a few of them to female officials in the Departments. It was a mistake, purely an accident. The official Blue Book was the only guide for the clerks in the matter, and it contains nothing to distinguish them from male officials; no "Miss" or "Mrs." before their names; it has nothing but their initials, and the mistake was unavoidable. The

mistake was instantly corrected upon becoming known. But the Hon. George H. Pendleton, of Ohio, learning these facts, promptly on June 5, but with more zeal than discretion, brought the matter to the attention of the United States Senate by the following resolution:

*Resolved*, That the Committee on Civil Service and Retrenchment be instructed to inquire whether any attempt is being made to levy and collect assessments for political partisan purposes from any employees of the Government in Washington, whether the same be under the guise of asking voluntary contributions or otherwise; and to report to the Senate by bill or otherwise, in its discretion.

And, on June 26, Mr. Pendleton supported this resolution in a speech in which he arraigns the Republican Congressional Committee, and through it the Republican party, as guilty of violating the Democratic act of 1876 respecting political assessments. He arraigns the Republican party for oppression of employees in the Departments, and charges that the circular levies an assessment, and that it was intended and is understood to be compulsory. He concludes with an eulogy of the Democratic party, in which he exclaims:

The history of the Democratic party is before the country. It is a long and glorious history. For more than one-half of this century which is passing away it held possession of the powers of this Government, and illustrated the beneficence of its policy by an unexampled purity of administration. If he [Senator Conger] shall be able in the course of that long and illustrious career to find that either in its organization or its prominent men it has at times fallen into evil practices, I can tell him that the Democratic party has been subjected to discipline.

### PART III.

## Statesmen as Claim Agents —The Pendleton-Belknap Kentucky Central Railroad Job—Pendleton assesses fifty per cent. of the Proceeds.

**Who is Hon. Geo. H. Pendleton?—What are his Qualifications as a Civil Service Reformer?—Have his Associations with Belknap, in 1876, in the Kentucky Central Railroad Job been Condoned or Forgotten?**

But who is Hon. Geo. H. Pendleton? He is now posing as a Civil Service Reformer. What are his qualifications for that role? Has his association with Belknap, in 1876, in the Kentucky Central Railroad job been condoned or forgotten? Let us in this connection quote the estimate in 1876 of Mr. Pendleton by an organ of Civil Service Reform:

**Pendleton Exonerates Belknap, but who Exonerates Pendleton—Pendleton's testimony before the House Belknap Committee, in 1876—A matter of no little surprise and a great deal of regret—Disappointment in the estimate of his Character—An Agent of Doubtful Claims—Statesmen as Claim Agents.**

Says the New York *Evening Post* of March 15, 1876, in an editorial headed, "*Statesmen as Claim Agents:*"

Mr. Pendleton "exonerates the Secretary of War," says a morning journal; but has Mr. Pendleton exonerated himself? His testimony before a Committee of the House of Representatives yesterday will occasion a great deal of regret and no little surprise. Whatever may have been thought of some of his notions of political economy, he has been regarded hitherto as a man of high personal character. It has been supposed that he aimed to consider public questions from the plane of the statesman rather than the politician. He was believed to be a man of political refinement, if the term may be used; and if an observer of events had been asked to name eminent Democrats who would scorn to undertake the negotiation of doubtful Federal claims, especially to become solicitors of a Republican administration which they had rebuked for its corrupt practices in such matters, the name of Mr. Pendleton would have appeared well up in the list. How far he has come short of the estimate which has been formed of him the simple narrative of his case shows.

**The Kentucky Central Railroad Claim—Disallowed by Secretary of War Stanton—Claimants have little Faith in Validity of Claim—Offer 50 per cent. "to get it through"—Hon. Geo. H. Pendleton collars the job—Belknap helps it through—Amount of Claim \$148,000—Pendleton pockets \$75,000 or \$65,000—Extortionate and Monstrous Character of the Assessment—Pendleton declares that he did not Bribe Belknap—What shall be said of Statesmen as Claim Agents?**

The *Post* adds:

The claim of the Kentucky Central Railroad, which was allowed by Secretary Belknap after having been rejected at least once by Secretary Stanton, was for compensation for transportation of troops during the war. Payment had been made to the amount of a certain percentage of the regular rates, and the owners of the road asked for a further allowance. Evidently there was not much faith in the validity of the claim, for one of the owners said that he would give fifty per centum of it "to anybody who would get it through." Men do not so easily relinquish one-half of \$150,000 which they believe there is a strong probability of their getting. Mr. Pendleton, however, thought the prize worth trying for. As (1) administrator of the estate of his brother-in-law, Mr. Bowler, an estate which owned three-fifths of the road, and as representative in that capacity of two minor children; as (2) president of the road; and as (3) Mr. George H. Pendleton, he made with himself a triple agreement under which he secured a good deal more than fifty per centum. The amount paid upon the claim, he says, was either \$148,000 or \$140,000. Of this amount he received for himself \$30,000 or \$30,000, he is not sure which. The remainder—\$30,000, \$33,000, \$60,-



000 or \$68,000, as the case may be—went to the two minor children and the other owners of the road. He paid from his own share \$15,000 to one Ransom, who had some former connection with the claim, so that Mr. Pendleton's net gain from the transaction was \$65,000 or \$75,000, or from \$7,000 to \$15,000 more than his clients, if they were his clients, received. Upon the assumption that they were clients, it must be said that the counsel fee was extortionate. Upon the assumption that Mr. Pendleton was a trustee and guardian the charge was still more monstrous.

This criticism proceeds upon the ground that there was no bribery in the case, as Mr. Pendleton says that there was not. Belknap is entitled to the exoneration which Mr. Pendleton has given him; but what shall be said of statesmen as claim agents?

## PART IV.

### **Pendleton's Qualifications as a Civil Service Reformer—His War and Financial Records—A Typical Copperhead Democrat—Theoretically Virtuous and Patriotic.**

**Pendleton's Qualifications as a Civil Service Reformer—A Claim Agent posing as a Statesman gobbling the Lion Share of Pelf through doubtful War Claims—If an assessment of two per cent. upon Government Officials for partisan purposes would be unlawful or Corrupt, what is an assessment of fifty per cent. upon fraudulent claims by a would-be Civil Service Reform Leader in his Individual Interests.**

Does such a record qualify a Senator as a Civil Service Reformer? A doubtful if not an absolutely fraudulent claim, once disallowed by an incorruptible minister, and its final allowance by a corrupt minister tainted with a charge of bribery as a corrupt inducement for its passage, and of the gross sum thus allowed the Senator pocketing the largest share! If a contribution—call it an assessment, if you please, for the sake of the argument—of two per cent. upon Government officials above a stipulated grade, for the purpose of supporting the Republican party in its contests with the Democracy—with a solid South and its violent and corrupt election agencies—and consequently, in support of every national, material and patriotic interest—indeed, in support of these officials themselves, whose places depend wholly upon the success of the Republican party—if such a contribution for such purposes be corrupt or unlawful, what is the character of an assessment in the

individual interests of Hon Geo. H. Pendleton of fifty per cent. upon tainted claims liquidated by a Belknap?

**This Conflict of Pretended Virtue and doubtful acts no new Feature in Pendleton's Character—In 1862, a Rebel Sympathiser, posing as a Unionist in the National House of Representatives, and denouncing the Greenback, when absolutely needed for the Support of the Union Forces in the field, as unconstitutional, &c.—In 1864, still posing as a Unionist, the Candidate for Vice President of the Copperhead Democracy upon a Platform denouncing the war for the Union as a Failure—Later, when all men of Sound Financial Views were struggling to Resume Specie Payments, Pendleton becomes the enthusiastic Partisan of the Greenback, pronouncing it constitutional, &c.—He now, as during the Rebellion, would deny the Republican Party all the Sinews of War, in its conflict with Democracy, in the assured belief that the Success now of the Democratic Party would be scarcely less fatal to every national interest than would the triumph of the Democracy in Rebellion.**

Nor is such a violent contrast of pretended virtue and doubtful acts a new thing in the Senator's biography. In 1862, when the nation was struggling for existence against the Democracy in arms for its destruction, and when our greenback currency was absolutely needed for the support of the Union forces in the field—when without those greenbacks the National Government must have abandoned the contest and secession have triumphed—the patriotic Senator, then a member of the House, with pronounced rebel sympathies while posing as a Unionist, opposed their issue as unconstitutional and destructive of the best interests of the country. In 1864, while still posing as a patriot, he was the candidate of the Copperhead Democracy for Vice President upon a platform which denounced the war for the Union "a failure." Later, when the national forces had triumphed over the Democracy in rebellion, and the Republican party, all men of all parties of sound financial views, were struggling to get back to the constitutional currency of the Nation, to the resumption of specie payments, the consistent and patriotic Pendleton became the enthusiastic partisan of the greenback. He now pronounced it constitutional. He declared that its practically unlimited issue was demanded by the great needs of all the industrial or business interests of the country. So now, again, Senator

Pendleton, affecting a disbelief that the Democratic party had ever been guilty of assessing government officials for partisan purposes, arraigned, with all the airs and flourishes of superior virtue, the Republican Congressional Committee, and through it the Republican party of violating the Democratic law of 1876 respecting political assessments, and indulged in an extravagant eulogy of the Democratic party in all its past history. The patriotic Senator would now, as during the Rebellion, withhold from the organs of the Republican party all the sinews of war, being fully assured that the triumph now of the Democracy in obtaining possession of the National Government would be hardly less fatal to every material interest of the Nation, to every national interest, than would have been the success of the Democracy in arms for the overthrow of the government.

## PART V.

**Senators Allison and Hale, members of the Republican Congressional Committee, in the Senate, dispose of Pendleton's Absurd Screenshot—Mr. Hiscock, a member of the Committee, disposes in the House of Springer's and S. S. Cox's hypocritical Palaver.**

**Senator Allison Corrects Pendleton's Grave Misapprehensions—The Circular in its essence and spirit a Voluntary Circular—It has none of the elements of Compulsion—A Copy of Civil Service Reform President Hayes's Circular of 1880, issued after Consultation with Hayes's Cabinet—Hayes opposed to Political Assessments—The Circular in no sense an Assessment—Sent not merely to Government officials, but to all Republicans likely to Contribute—Government officials perfectly free to Contribute or not.**

Mr. Pendleton was promptly met and answered by Senators Allison and Hale, members of the Republican Congressional Committee. Mr. Allison said:

Mr. President, I rise chiefly to correct some misapprehensions, and grave misapprehensions, that the Senator from Ohio (Mr. Pendleton) seems to have fallen into, and upon which misapprehensions he has based his remarks to a very great extent. This circular, I need not argue, is in its essence and in its spirit a voluntary circular.

It has none of the elements of compulsion in it, upon which the Senator from Ohio has made his comments. The circular which was read by the Senator from Ohio, I will say to him, is an exact copy of the circular that was printed and circulated by the Republican Congressional National Committee, in 1880, save and except that "1880" is stricken out and "1882" inserted. The circular of 1880 alluded to the Presidential election of that year, and this circular makes the same allusion to the Presidential election of 1884.

The circular of 1880 was issued by the then Congressional Committee of the Republican party. It was issued after consideration by the members of the committee, and after consultation with the gentlemen who then controlled the various Executive Departments of this Government. It was well known at the time that President Hayes objected to what we are known as political assessments, and the Congressional Committee did not undertake to make political assessments in any sense; and I want to proclaim now that this is not and is not intended to be a political assessment, and every man who holds office or is in public employment is just as much at liberty, if he so chooses, to decline to make this contribution as any citizen of the Senator's State is at liberty to decline if he does not see proper to make the contribution voluntarily.

Mr. BECK. I should like to ask one question for the benefit of some poor people. Do you believe they will be allowed to retain the positions they now hold if they fail to contribute? I should like to know that.

Mr. ALLISON. I thank the Senator from Kentucky for asking me that question. I was coming to that in a moment.

Mr. BECK. Several could not retain their places after 1880 that refused, I know.

Mr. ALLISON. In 1880, as I said, this identical circular was issued. A Presidential campaign of great interest to the American people was then going forward, and a struggle was being made then for the control of the House of Representatives by the two great contending parties in this country. This circular was sent then, as now, to employees of the Government, and to men who were not employees of the government. It was sent to persons who were supposed to be willing to contribute to the success of the Republican party.

**Senator Allison's Reply to Senator Beck's inquiry—Government officials absolutely free to Contribute or Not at their pleasure—Of 100,000 Government employees addressed in 1880 only 11,514 Contributed—Not one of the Delinquents removed or disturbed in his place—Not one will ever be by Republican Officials in authority.**

I now come to give the answer to the Senator from Kentucky, and I want him to listen to what I say. To that circular in 1880 only 11,514 affirmative responses were made of the vast number of employees of the United States who are scattered throughout its borders. Of the 100,000 people in public employment only a little more than one-tenth responded affirmatively; and I now stand in my place and ask the Senator from Kentucky or the Senator from Ohio to name one single office holder who failed to contribute in 1880 who was removed from office for that cause? Of the 100,000 public employees, only a little over 11,000 contributed in 1880, and I believe that not one man has ever been disturbed in his place because he did not respond favorably to that circular. So that so far from this being a compulsory circular, it is simply a voluntary one; and that was all the statement that I intended to make, or that I propose to make to-day in reference to this matter.



Being a member of this committee, and to the extent of membership being responsible for its action, I wish to say as such member that I regard this circular of 1880 and this circular of 1882 as simply a request for a voluntary contribution, and to my belief there has never been a man removed from place because he did not respond to it favorably, and in my belief no man will be disturbed hereafter if he fails for any cause to respond favorably to this circular.

**Senator Hale also Corrects the Grave Misapprehensions of Senator Pendleton—The Circular Simply a request addressed to Republicans for Contributions in Support of the Republican Cause—It was not issued in the dark, or Secretly, or Covertly, but publicly, and without mystery—The Committee have no apologies for the Circular—No woman or poor day-laborer has been knowingly requested to Contribute—None were expected to Contribute.**

Senator Hale said :

There has been no intention on the part of the committee in sending out this little circular, three inches by eight, as shown by inspection, of oppressing anybody; and it has not been sent out in the dark. There has been no secrecy, nothing whatever covert, nothing whatever apologetic on the part of the Republican Congressional Committee in that act signed by Colonel Henderson, its secretary. If in sending out numerous circulars asking employees of the Government if they were willing to contribute to a cause which they believe to be the greatest politically that agitates men's thoughts in this country, there has been here and there a circular delivered to some poor woman in a Department or outside of Washington, that has never been intended. The whole scope and aim of political contributions as engineered by Congressional committees, whether on the one side or the other, has never been a mystery, and there is no more mystery about it to-day than there ever was before. No woman has ever been requested except where under her initials she has appeared as a man, nor has any poor day-laborer been intended to be even solicited. If there has been any such poor laborer that has received any invitation of this kind, he may be assured that he will never be troubled again by the Republican Congressional Committee, whether he pays or not.

**Senator Hale defies Pendleton, or any Man, to Specify a Single Act of the Committee or its Officers, or an Act of the whole Republican Caucus, Indicating that any Employee not Contributing will be Punished—The Committee Simply Ask for Contributions as Church and other Organizations Ask for Contributions in Support of Lawful Ends—Pendleton, if he ever becomes President, will, as the Fountain of Executive Patronage, become the Head Centre of Democratic Political Assessments upon the Recipients of his Patronage.**

I defy the Senator from Ohio, or any man, whoever he may be, either in this little circular or any correspondence of the Committee, or any resolution of the Committee, or any utterance of any single member of the Committee,

or of the whole Republican caucus that constituted the Committee, to find anywhere a single act indicating that the screws were to be put upon men; but we have gone out just as men go out in other fields, just as men go out in voluntary associations and ask the members, when an emergency arises, if they are willing to give, just as church and parish organizations are conducted. Does the Senator know that in running a society, whether it be social, educational, or religious, if an emergency arises, if a conflict impends, if means are legitimately needed, the men that are naturally sought are the men who belong to the association? Does he know that no man considers himself, to use his language, degraded and insulted because he has the opportunity offered him?

This thing has always been done, and if the Senator from Ohio ever becomes the President of the United States, the head of his party, with the distribution of patronage and the control of patronage, he will find that it will be done then as it was always done by the Democratic party.

**Senator Hale Defends the Circular in its Essence and Purpose—Contributions by Government Employees in Support of a Campaign Fund for Legitimate Party Purposes, Voluntarily Given, without Coercion or Oppression, Morally Right—The Circular Asks and Intends Nothing Else.**

But the question to be fairly considered, Mr President, the question that thoughtful men should consider, the question that prudent, patriotic men should consider here, is whether the matter of voluntary contributions for legitimate campaign purposes shall be conducted freely, openly, without oppression; that there should be no yoke imposed upon a man in office; that there should be no threat held over him because he is in office; that there should be nothing imperious and tyrannical, and so long as it is done in that way you have got nothing more than what I may say and stand here boldly to maintain is a legitimate source of contribution to a proper political fund for the purposes of legitimately carrying on a campaign. When I have said this for our circular I have said all that I need to say, I think, as to its moral force.

**Mr. Hiseock, a Member of the Committee, Exposes and Repels in the House Springer's Officious and Hypocritical Lament over the Pretended Oppression of Republicans in Office—The Committee Asks no Advice as to their Circulars or Methods from Democrats—Mr. Hiseock Indorses the Circular—It is Right that Republican Officials, even One-armed and One-legged Soldiers, should Contribute to Legitimate Campaign Expenses—Of what One-armed or One-legged Soldier, of what Union Soldier, was Springer the Advocate?**

Mr. Hiseock, in the House, said :

I wish to say to the gentleman from Illinois (Mr. Springer) that he has no authority to speak for the Congressional Committee. It will speak by its own circulars and its own methods. We are not asking information from the other side as to what those methods should be. I stand here putting a fair construction—the construction intended—upon their circulars, willing now and forever to indorse them. It is right that citizens of this country—one-legged and one-armed soldiers, if you please—should contribute, if they choose, to the expenses of an election.

And I am not here to blush for them. [Applause.]

Mr. Chairman, I would like to know what officer of this House, a one-armed or one-legged soldier, Union soldier, has asked the gentleman from Illinois to appear here as his advocate and his representative?

## PART VI.

### **George William Curtis's circular to Government Employees respecting the Republican Congressional Committee's Contribution Circular—Correspondence of Chairman Hubbell and Curtis—Opinions of Attorney-General and Letter of Secretary Folger—Curtis in the Role of Reformer.**

**The Civil Service Reform Circular—Mr. Curtis declares Republican Congressional Committee's Circular requesting Contributions illegal—Significantly Calls attention to the provisions and penalties of the Law of 1876—Warns Employees to prudently refrain from complying with the Committee's request—The Civil Service Reformers attempt to Bulldoze or Intimidate Government Employees by Implied Threats of Persecution.**

The following circular was sent to the principal employees of the Government in the United States:

CIVIL SERVICE REFORM ASSOCIATION,  
NEW YORK, June 17, 1882.

DEAR SIR: We understand that a circular has recently been sent to you from the Republican Congressional Committee, asking for contribution towards defraying the expenses of that committee at the coming election.

We desire to inform you that, in the opinion of counsel, as the members of the committee are officers of the United States Government, you as an officeholder are liable, under section 6 of chapter 287 of the United States Statutes, 1876, (supplement to Revised Statutes, page 245), to punishment by fine or removal from office, or both, in case you subscribe as requested. The National Civil-Service Reform League proposes to bring the matter to the attention of the Attorney-General and other prosecuting officers of the United States, and until their decision is given we should advise you prudently to refrain from complying with the request of the committee.

Respectfully,

GEORGE WILLIAM CURTIS,  
*President.*

EVERETT P. WHEELER,  
*Chairman Executive Committee.*

WILLIAM POTTS,  
*Secretary for the New York  
Civil Service Reform Association.*

**Chairman Hubbell's reply—He joins issue with Mr. Curtis and the Civil-Service Reform Circular to Government employees as to the character of the Committee's Circular—He denies that it violates the law of 1876—He charges that Mr. Curtis misstates and perverts the law in an attempt to alarm, that is, to Intimidate or Bulldoze, Government Employees—Proposes to refer the interpretation of the Law to U. S. Attorney-General—If the law has been violated, then he, Chairman Hubbell, is equally guilty with the Contributing Culprit—He challenges, therefore, as the more manly and honorable course, to bring the issue to a decision by a prosecution of himself.**

Hon. Jay A. Hubbell, chairman of the Republican Congressional Committee, addressed the following letter to George William Curtis in reply to the Civil-Service Reform Association circular to Government employees:

HOUSE OF REPRESENTATIVES,  
WASHINGTON, D. C., June 22, 1882.

SIR: I understand that a circular signed by you has been sent to large numbers of persons employed in the service of the United States, advising them to refrain from complying with the request of the Republican Congressional Committee for a contribution to its campaign fund. In this circular you state that "in the opinion of counsel, as the members of the Republican Congressional Committee are officers of the United States Government," all persons making contributions to such committee will render themselves liable under section 6, chapter 287, United States Statutes. If it be law that persons paying become thereby liable to a penalty, I, being a member of Congress and the treasurer who receives that payment, am also liable.

I am willing to meet you on this question anywhere or at any time, and to unite with you in requesting the President to ask an opinion of the Attorney-General. If you desire any other form of action in any tribunal which can give an immediate consideration of the point, I will join in testing the soundness of the circular, and I invite you to this mode of settlement, as both are more manly and more honorable than your attempt to confuse the action or alarm the minds of the employees alluded to. The law is misstated in your circular, and the alarm you seek to create is without justification in the law, your counsel, to whom you vaguely allude, either misunderstanding or perverting it. Disdaining to seek shelter behind any cover, I therefore challenge you to the step necessary to an immediate determination of the degree of responsibility which is attached to this fact, and to the correctness of your circular, which I distinctly deny.

Yours, JAY A. HUBBELL,

*Chairman and Treasurer  
Republican Congressional Committee.  
To Mr. GEORGE WILLIAM CURTIS, New York,  
President Civil-Service Reform Association.*

**Mr. Curtis rejoins—He practically confesses the Bulldozing Purpose of the Civil-Service Reform Association Circular, and lamentably attempts to extenuate or defend it—Characteristically utters, upon pretended information, a willful libel that Clerks, errand boys, and girls are "virtually**



threatened" by the Committee's Circular with loss of Place—Prates with hypocritical indignation about the abuses flowing from his own false statements of the Law and Facts—Eulogizes the Democratic authors of the Law of 1876, the authors of the corrupt and tyrannical practice of arbitrary and compulsory partisan assessments, and charges all their sins against Innocent Republicans, but fails to accept Chairman Hubbell's challenge to bring the matter to a decision before the U. S. Attorney-General or the Courts—Proves himself the Joseph Surface of Civil-Service Reform.

The Hon. George William Curtis has written the following to the Hon. Jay A. Hubbell:

HON. JAY A. HUBBELL,  
*Chairman and Treasurer, &c.*

SIR: I have received your letter of the 23d instant, in which you comment upon the circular of the Civil-Service Reform Association, advising certain employees of the government that they may render themselves liable to legal penalties should they yield to a requisition to pay a specified part of their salaries into the treasury of your committee. Upon this suggestion you remark: "The law is misstated in your circular, and the alarm you seek to create is without justification in the law. Your counsel, to whom you vaguely allude, either misunderstands or perverts it."

It seems to me, however, that a man who lives with his family upon \$500 or \$600 a year would find it much more alarming and confusing to be summoned to pay 2 per cent. of that amount than to be told that such payment might lead to legal trouble. If, indeed, there be any question of comparative manliness and honor in the transaction, it strikes me that virtually to threaten laborers in navy-yards and elsewhere, clerks, errand boys, and even women and girls, in the public offices, to whom I am informed that circulars have been sent, that they are in danger of dismissal if they do not surrender a part of their wages, is conduct quite as open to the charge of want of manliness and honor as the act of warning such laborers that the law probably protects them against the demand.

You remark that you disdain "to seek protection and shelter behind any cover." You will not, therefore, attempt to hide under the pitiful pretence that the assessment of 2 per cent., or other specific sum levied by the Congressional Committee, is an invitation to make a "voluntary contribution." It is stated that 30,000 or more of the circulars of your Committee have been sent out. I have personal knowledge of them as addressed to employees of the Government from Kentucky to New England, and they are undoubtedly daily mailed to every part of the Union. They are apparently addressed exclusively to public employees, and those employees undoubtedly understand that the alternative is that of payment or dismissal. The demand is issued by a Committee which knows that such is the general understanding in the service. I once pleaded with a superior officer against the injustice of this assessment upon poor men earning small wages and reduced to despair by the demand, and he told me hotly and plainly that for every one that did not wish to pay there were fifty persons ready to take his place with all its incumbrances. It is not necessary for me to point out to you that this is practically a sale of the public service to the highest bidder; that it destroys the self-respect of the public employees, and that it

is necessarily fatal to honest politics, and economical administration. If the wages of the public service are too high let them be reduced. But by what right does a committee of an irresponsible club of members of Congress levy party toll upon the public employees under pain of dismissal? You, sir, are chairman and treasurer of the Republican Congressional Committee. What party authority constituted that Committee? In what way is it responsible to the Republican party? If a levy of money is to be made upon employees of the Government for the benefit of a party treasury, which I hold to be a pernicious abuse, it should be authorized by those whom the party designates for the purpose. It is certainly not a duty to be assumed by any committee of members of the party elected for another purpose. If such a committee may demand 2 per cent. of wages, it may extort 20 per cent. under the same tenor. Other similar committees may do the same thing, and in fact the public employees are now subject to various demands of the kind. The money thus coerced by irresponsible committees is expended in ways of which there is no public account. It becomes often a vast corruption fund, drawn from the public treasury by the party in power to secure its continued control of the Government. This is a dangerous blow to free institutions, and the general knowledge of the abuse necessarily destroys popular confidence in the honesty of elections, and brings us face to face with a catastrophe.

Undoubtedly there are legitimate political expenses for every party, and in a free country everybody should be at liberty to aid and to refuse to aid his party. But the public employees of the Government are usually selected in a way which practically deprives them of the liberty of giving or withholding such aid at their pleasure. If a man knows that he holds his place by personal favor, he will naturally propitiate that favor in order to retain his place. It was the knowledge that the liberty of the office-holder in this matter is thus impaired which led Congress to pass the act of protection to which our circular refers. That act recognizes as universal experience and the reason of the case shows, that a Government employee whose family depends upon his wages is not deluded by the phrase "voluntary contribution," and fears that he cannot refuse to pay without taking the risk of dismissal. His refusal, indeed, would not be alleged as the reason, but it would be the reason; and to say to an employee, as the circular of the Congressional Committee says, that his "contribution will not be objected to in any official quarter," is merely to tighten the screw. It is a hint to him that the demand is known and approved by those who can dismiss him. You assert your willingness to ask the President to ask the opinion of the Attorney-General. But your circular has been sent to the employees in the Attorney-General's office, and it distinctly assures them by necessary implication that the head of the office does not object. If you read the newspapers carefully you are aware of the very general public condemnation of the practice of political assessments, and they are condemned for the precise reason that such assessments are not what they pretend to be—"voluntary contributions." If you ask me to contribute to your treasury, I am a private citizen, and I can give or refuse without suffering. But if you and your associates ask my neighbor, who is employed in the custom-house, for a contribution, he feels that he is in danger if he declines. This is the infringement of the equal liberty of citizens which makes this practice odious, while its inevitable consequences make it threatening to the public welfare. The association of which I have the honor to be president will spare no lawful effort to restore that equal liberty to every citizen.

GEORGE WILLIAM CURTIS,

*President of the New York Civil-Service Reform Association.*

**Counsel of Civil-Service Reform Association, in a Letter to Chairman Hubbell, Support Mr. Curtis—They Refuse upon a Pettifogging Plea to Refer the Interpretation of the Law to United States Attorney-General—Thus Decline to accept Chairman Hubbell's Challenge of Prosecution against Himself, but with a Meanness Characteristic of the so-called Reformer make an Offer, which no Honorable Man could act upon, that Chairman Hubbell Unite with them in the Prosecution of some Government Employee who had Contributed to the Republican Campaign Fund.**

The letter of Civil-Service Reform Association Counsel:

NOS. 8 AND 10 PINE STREET, NEW YORK,  
June 24, 1882.

HON. JAY A. HUBBELL:

SIR—Hon. George William Curtis has handed to us your letter to him of the 22d inst., to which he proposes to reply at once. In answer to your specific propositions we would say on behalf of the Civil-Service Reform Association, of which we are the counsel, that it would give the association and ourselves much satisfaction to have an immediate opportunity of "testing the soundness of the circular" to which you refer. The Circuit Court of the United States for the Southern district of New York is now in session. We will make a test case of any one which you may select of the numerous payments which have been, as we are informed, made to you in this district in response to your circular by executive officers or employees of the United States not appointed by the President by and with the advice and consent of the Senate. We will, if you concur in this suggestion and select the case, request the Attorney of the United States to proceed at once by information against the offender. We will request him to state in this information the facts exactly as they exist, so that the counsel for the defendant may demur to the information at once.

With his concurrence, which we believe would be cheerfully given, if you concur through your counsel in facilitating the proceeding, we doubt not the Court will fix an early day for the hearing.

And thus this important question will be judicially determined.

The motion in arrest of judgment, in the case of the United States against Newton M. Curtis, is appointed to be argued before the full bench of the same Circuit Court on the 28th inst. This circumstance will, in all probability, enable us to have a hearing before the full bench of this Court at an earlier day than it could be obtained elsewhere, should you desire such a hearing.

We do not accept your proposition to request the President to take the opinion of the Attorney-General. We have requested the distinguished head of the Department of Justice to give instructions to the attorneys of the United States in the several districts, in accordance with sections 362 and 771 of the Revised Statutes, to prosecute all delinquents for offenses against the act of Congress in reference to political contributions. Whatever the private opinion of a prosecuting officer may be, we understand that it is his official duty, upon the reasonable complaint of respectable citizens, to present that complaint in legal form to the Court for its decision. We have no right to ask his opinion. We have a right to ask his official action.

You will also observe that we do not propose to raise the question by an information against you.

The act of Congress referred to does not in terms make it a misdemeanor for a legislative officer to receive the contribution which it forbids an executive officer to pay to any other officer of the government. Of your action Congress and your constituents can judge.

But we think it is clear, and we presume you will not dispute, that you are a legislative officer of the government and that therefore payments to you are illegal.

In conclusion permit us to inform you that there is a very general fear among employees of the government that if they do not make the contributions you request they will be dismissed from the service of the United States. We have been appealed to by many whose families are dependent on them for support, who can ill spare the two per cent. you ask, but who cannot afford to lose their places and their meagre income. In the words of the late President Garfield, these requests are made of employees "with the distinct understanding that unless they paid that per cent. upon their salaries others will be found to take their places who will pay the assessment." And we believe that a very large proportion of the money received by you from such officeholder is paid under duress. We will gladly join you in a letter to the President asking him to issue an executive order that no removal shall be made for a refusal to pay the contribution you request.

We follow your example in giving this letter to the press. Yours respectfully,

EVERETT P. WHEELER,  
FREDERICK W. WHITRIDGE.

**Chairman Hubbell in Reply Exposes, the Meanness and Persistent Falseness of Mr. Curtis—No Excuse or Justification for such False Representations as that the Committee's Circular "Virtually Threatens"—The Contributions were Intended to be and are wholly Voluntary—Chairman Hubbell Challenges Curtis to Point to a Single Instance in support of his False Statement—Senators and Members, in their Places and upon their Responsibility Give Curtis the Lie—The Committee's Circular Violates no Law—It Infringes no Right either of the Citizen or Official—He Repels with Indignation Curtis's Counsel's offer to unite in the Prosecution of some Government Employee as a Test of the Law—Chairman Hubbell will be guilty of no such act of Dishonour, no such Meanness—Hubbell will continue to Support the Fortunes of the Republican Party—Curtis may continue his role of Partisan of Ballot-Box Stuffer, of Efficient Ally of the Bourbon Bull-dozer.**

HOUSE OF REPRESENTATIVES,  
WASHINGTON, D. C., July 6, 1882.

SIR: I have received your letter of the 24th ultimo, and that of your lawyers of the same date. A few words will make the only reply which I think they require. You continue to assert that the circular signed by me "virtually threatens" with dismissal the officers and employees to whom it is addressed, should they not "surrender part of their wages." There is no excuse for such a misrepresentation. The phraseology of the circular shows an absolute absence of all language of threat. It also, affirmatively, shows that the request is for a voluntary contribution. Your misrepresentation is, therefore, without justification in the language of the circular. It is equally without jus-



tification in the purpose of it. That is proved by the fact that, although like circulars have been issued biennially for at least sixteen years, by Republican Congressional committees, and many persons have refused to respond to them, there has never been a single removal from office or employment for that cause. It is not in your power, therefore, to put your finger upon a single fact, either of statement or result, which justifies your representation. Besides, you have had the explicit denial of Senators and Representatives, members of that committee, of any purpose of threat or coercion. Notwithstanding all these proofs, you persist in speaking of it as a "virtual threat." To say that this is deeply discreditable to you is to use mild language.

The other accusation is that the circular is an invitation to the commission of what is made a crime by section 6 of the act of the 15th of August, 1876. As a matter of law this is absurd. There is no difficulty in the point, as your lawyers will find out in due time, if they have not already. The law does not apply to members of Congress in any of its terms, but is confined in all its parts to executive officers and employees. This its language shows, and all the circumstances surrounding it prove. Your construction involves the absurdity that members of Congress are executive officers, and the further absurdity that it is a crime for a man holding an office freely to contribute of his funds to a political committee.

Of course, according to your notion, a simple citizen may so contribute of his funds as of right, but a citizen becoming an official loses the right to help the organization whose principles he may approve, and whose policy he may deem essential to the prosperity of the people. In other words, under cover of protecting the official, you degrade him.

You ask me to unite with you in starting an experimental criminal prosecution against an officer or employee in New York for having complied with my request for aid to the Republican canvass. I will not do this for several reasons. It would be an act of dishonor in me to so turn upon any Republican official who thus contributed. Besides, it is needless as a means of testing the sense of said section 6. In my opinion neither the Attorney-General of the United States nor the district attorneys require instruction either from you or myself as to the meaning of laws, or their duties in prosecutions for violation of them, and I therefore leave the subject with them, you having declined to unite in making a case against me as being the party equally responsible with any contributor. As for my myself, Mr. Curtis, it is only due to candor to say that as long as the records of Congress show throughout all the Gulf States the systematic use of tissue ballots for purposes of fraud, the systematic throwing out of ballots cast, and the insertion of ballots not cast, the systematic defeat of the exercise of the right of suffrage, and every conceivable violation of law for the purpose of thwarting the expression of popular will, and so long as it be proved impossible to have a fair election and an honest count in any portion of this country, I propose to help maintain a Republican organization which shall be strong enough to prevent these outrages; or, when their commission cannot be prevented, to punish the criminals; and to that end I propose to ask all good citizens, officeholders or otherwise, to supply the Congressional Committee with the necessary means for sustaining this crime against our common liberty. To the extent that you, in the role you are now playing, may succeed in crippling the operations of this Committee, you will become a most efficient ally of the Southern bull-dozers, and a most powerful promoter of their invidious and destructive methods. And there I leave you.

Very respectfully yours,

JAY A. HUBBELL.

*Chairman Republican Congressional Committee.*

MR. GEORGE WILLIAM CURTIS,

New York City.

**Opinion of U. S. Attorney General as to the meaning of the Law of 1876 respecting Political Assessments and Secretary Folger's Letter to Mr. A. Thomas, of the Third Comptroller's Office—Members of Congress are not Officers of the Government within the Meaning of the Law—The Attorney-General Supports his Opinion by ample Authorities of the Highest character—The Circular of the Republican Congressional Committee does not violate the Law—Secretary Folger announces the Republican doctrine, which is that of the Republican Congressional Committee, that all citizens believing in Republican Success as necessary to good government and the welfare of the Nation will contribute, but all such contributions should be wholly voluntary.**

TREASURY DEPARTMENT,  
OFFICE OF THE SECRETARY,  
WASHINGTON, D. C., July 25, 1882.

MR. A. THOMAS.

*Chief of a Division, Second Comptroller's Office.*

SIR: Your letter of inquiry of date 6th July, 1882, reached me in due course, and had my consideration. Wishing to have the deliberate opinion of the law officer of the government on the point stated by you, and believing that that opinion would be more satisfactory to all than any view I might take of the subject, I referred your letter to the honorable the Attorney-General for his determination. I have to-day received the opinion of that official. The Attorney-General states the question to be: "Whether a member of Congress is an officer of the government, within the meaning of section 6, of chapter 287, of the act 15th August, 1876." (Revised Statutes, sup. page 245.) That section is in these words: "All executive officers or employees of the United States not appointed by the President, with the advice and consent of the Senate, are prohibited from requesting, giving to, or receiving from, any other officer or employee of the government any money or property, or other thing of value, for political purposes." &c. The Attorney-General reaches the conclusion that a member of Congress is not an officer of the government within the meaning of that section. And to sustain his view he cites Blount's case, wherein it was so held, and compares with this section, and with each other, sections 28 and 30, 1756, 1781, 1782, 1786, 5430, 5431, 5500, 5501, R. S.: 1st section and 4th sections 2d article; 6th section, 1st article; 13th section, 14th article, United States Constitution; section 733, Story on Constitution; 2d, 3d and 6th sections, act of February 26, 1833, chapter 81. The further conclusions are as follows: That executive officers and employees of the United States not appointed by the President, with the advice and consent of the Senate, are not liable to the pains and penalties of section 6 of the act of August, 1876, for the act of giving to a member of Congress money, property, or other thing of value. You are such an officer or employee, and the effect of the opinion of the Attorney-General is that you may give to Chairman Hubbell, in compliance with his request, without running foul of a penal statute. I might stop here, as the very question that you put is explicitly answered, and as you in your letter express a willingness—nay, more a desire—to give as asked. But I will take this place to say that I wish it felt throughout the Treasury Department in all its ramifications of service that no servant of the United States therein need feel the slightest pressure upon him to give if he does not wish to give. If he has that belief in

the soundness of the principles of the Republican party as to desire their sustentation and success, and to be willing and desirous of showing his faith by his works, and feels that he is able to aid, let him give of his substance or of his income as he sees fit. Or if he is of the other political faith, or the claims of family or the needs of self pinch his purse, and he wishes not to give, let him freely refrain therefrom. I would have him think and feel and do as if in the religious meeting-house of his choice the preacher should lay before him the needs of some cause. If it was commended to his judgment and he felt able and willing to spare of his pelf, he would give. If it was otherwise he would hold fast that which was his own. So, absolutely so, in the matter in hand. Let it be understood and felt by all who hold place under me that which ever way they take they may take it unmolested by me therefor. I say as I mean. I will do as I say.

Very respectfully,

CHAS. J. FOLGER,  
*Secretary.*

Both Secretary Folger's letter and the opinion of the Attorney-General were read and considered in the Cabinet meeting.

**President Arthur in Cabinet Meeting gives his Judgment in the matter of Partisan contributions—No Government employee, declining to contribute, shall be discharged or criticised for the Act—All shall be Wholly Free to contribute or not as they please—That the Doctrine of President Arthur's Letter of Acceptance—That the Doctrine, past and present, of the Republican Party and its Representative Committees.**

The session of the Cabinet of July 25 was an unusually long one. All the members were present except Secretary of War Lincoln, and the question of partisan contributions was pretty thoroughly canvassed. President Arthur gave his judgment in the matter. He said in effect:

"No person in any one of the executive departments declining to contribute shall, on that account, be subjected to discharge or criticism, and no attempt to injure him, on this ground, will be countenanced or tolerated." These conclusions are in accordance with the views expressed by him in his letter of acceptance of July 15, 1880, in which he says: "I will add that by the acceptance of public office, whether high or low, one does not, in my judgment, escape any of his responsibilities as a citizen, or lose or impair any of his rights as a citizen, and that he should enjoy absolute liberty to think and speak and act in political matters according to his own will and conscience, provided only that he honorably and faithfully discharge all his official duties."

In these utterances the President announces the doctrine, past and present, of the Republican party—the doctrine of the Republican Congressional Committee.

**General Garfield favored Contributions for Partisan Purposes—His Letter to Chairman Hubbell during last Presidential Election asking how are the Departments generally doing.**

General James A. Garfield is often quoted by the so-called Civil-Service Reformers as opposed to or reprobating political contributions for partisan purposes. The quotation is a characteristic fraud of the bogus reformer. To arbitrary or compulsory assessments General Garfield was no doubt opposed, as are Jay A. Hubbell and D. B. Henderson—as indeed are all Republicans. But the General was too sensible a man, too experienced, practical, and just, to oppose or reprobate voluntary contributions, or requests from responsible organs of the party for contributions, in support of the cause he himself so ably sustained. Were there any doubt in the matter the following letter from General Garfield during the late Presidential election, when he was himself a candidate, would authoritatively settle it:

MENTOR, OHIO, August 23, 1880.

MY DEAR HUBBELL:

Yours of the 19th instant is received. Please say to Brady I hope he will give us all the assistance possible. I think he can help effectively. Please tell me how the departments are generally doing.

As ever yours,

J. A. GARFIELD.

HON. JAY A. HUBBELL, Chairman Republican Congressional Committee, Washington, D. C.

## PART VII.

### **Origin of Political Assessments—They have their Rise in the Corrupt Party Practices of the Democratic Party.**

**Gen. Andrew Jackson in 1829 inaugurated as the President of Democratic Retrenchment and Reform—A Reformer of the Geo. Wm. Curtis type—Corruptions under his Reign—Origin here of Political Assessments—Speaker Jas. K. Polk Packs Committees against Investigation—The Harlan House Committee—Its exposure of the Practice of Partisan assessments by Democratic Party from 1829 to 1839—The disgraceful Record.**

On March 4, 1829, Gen. Andrew Jackson, of Tennessee, who had been elected as the candidate of Retrenchment and Reform, was inaugurated as President of the United States. Here was the birth of the modern Democratic party. Jackson was as pronounced a



Reformer as Geo. Wm. Curtis or "Gentleman George" Pendleton. For years previous "Retrenchment and Reform" had been his inspiring slogan and that of his partisans. But hardly had he been inducted into office, when a hungry swarm of personal partisans violently claimed possession of all public offices under the maxim that "to the victors belong the spoils." Now began practices unknown before in the history of our parties. Among these was that of arbitrary and compulsory assessments of government employees of all grades or salaries for partisan purposes. They cannot be traced to a prior period in our national politics. They soon became an organic part of the Democratic party and were relentlessly enforced both at State and national elections with a tyrant's hand. The corruptions of Jackson's Reforms soon became notorious. The press and people clamored for investigation, but that was resisted in both Houses of Congress by the indignant leaders of the Reform Democracy, whose speeches or Reform screeds are evidently the models of those of Pendleton and Curtis. After three years of efforts in the Senate, the elder Thomas Ewing succeeded in getting an investigation in 1834 into the corruptions of the Post Office. The developments startled the country. Reform, it was thought, was hardly the proper word to do justice to the facts. In the House all real investigation was practically defeated by the packing of the committees by Speaker James K. Polk.

In January, 1839, the House, although controlled by an administration majority, resolved to take the appointment of a committee to investigate these corruptions into its own hands and thus elected a special committee of nine with Hon. James Harlan, of Kentucky, as chairman, with instructions to inquire into the alleged corruptions of the civil service. Now, the developments were astounding.

Among the corruptions, ramified throughout all the departments of the National Government, was that of partisan assessments tyrannically enforced as tests of party fealty.

Mr. Harlan, in his report, in introducing the testimony on that subject, says:

The system of a *regular taxation* of public officers connected with and deriving patronage from the custom-house at New York, by a *tariff proportioned to such patronage in each case*, for the support of party elections is now alluded to.—(*H. Rep.* 313, February 27, 1839, *Twenty-fifth Congress, First Session*, pages 243, 250.)

He then gives the testimony in the case:

David S. Lyon was sworn—

I was the first deputy collector of the port of New York during the whole time Samuel Swart-

wout was collector. I have frequently been called upon to contribute to political objects while I was deputy collector, as an officer of the custom-house. *The amount was from \$20 to \$100. The tax was pro rata, according to salary. It bore a proportion from one to six per cent. I frequently paid a part of the amount. When it was too high, and more than I could afford, I urged them to reduce it. In one instance, when I was assessed \$20, Mr. Swartwout told the collector of the tax that \$10 was enough for me to pay. For a few years back I have not paid anything to the general committee, because I could not afford to pay the amount assessed. \* \* \** The collectors of the Tammany Hall general committee, one of whom was John Becker, called on me several times. William Tyack once or twice called on me to collect the amount with which I was assessed. He was not the regular collector, but was one of the general committee. I believe that nearly all the officers of the custom-house, in doors and out, and the clerks, were similarly taxed, and generally paid what they were assessed. It was assessed by the general committee of Tammany Hall, and for the support of the party denominated the Tammany Hall party. If the individual did not pay the amount he was taxed with, the collector would remark: "You will be reported to general committee;" and everybody well understood that proscription would follow. The collector of the general committee has an alphabetical book, which contains the names of persons, and the amount each individual is required to pay.—(*H. Rep.*, 313 *Twenty-fifth Congress, Third session*, pages 250, 251.)

Arent S. DePeyster sworn:

The weighers were called on to pay fifteen dollars each for the support of the election, and when I declined, Mr. Vanderpool, the deputy surveyor, observed that *I ought to consider whether my \$1,500 per annum was not worth paying \$15 for*. Under the impression that it was the price of my situation, I paid it. The above occurred during the last spring election for charter officers.—(*Ibid.*)

Abraham B. Vanderpool, an appraiser of customs in New York, at \$2,000 a year, was also sworn by the committee. In reply to the inquiry of Mr. Wise as to whether the officers of the custom-house had been assessed for political or party purposes, he began his answer with: "*I have known officers attached to the custom-house to be called on for*"—when Mr. Owens, a Democratic member of the committee, interposed and informed the witness that he was not bound to answer any questions relating to his private affairs, and Mr. Foster, another Democratic member of the committee, objected to the question.

The committee decided that the question should be propounded, when the witness declined to answer and was allowed to retire.

John Becker was also sworn as a witness. He said:

"I have been collector for the *Democratic-Republican party* in this (New York) city. It is not an official appointment. \* \* \* All the collections I ever made for the Democratic-Republican party were *strictly confidential*. I therefore respectfully decline answering the question." "When asked whose confidence he would violate by answering the question, he replied: *The confidence of the finance committee of the general Democratic-Republican committee.*"—(*Ibid.*, p. 251.)

**The Poindexter Commission in 1841 inquires into the condition of New York Custom-House—Its exposure of partisan assessments under Van Buren —“All you Damned Sons of Bitches that don't pay up will be sorry for it”—“God damn you, I'll remember you for it”—“To the Victors belong the Spoils”—Partisan assessments a vital part of the Reform Democratic Organism.**

At the next Presidential election in 1840, Van Buren, Jackson's successor, was ejected by the people from the Presidency. In March, 1841, General Wm. Henry Harrison entered upon the duties of the Chief Magistracy, and a commission, with Hon. Geo. Poindexter, an ex-Senator from Mississippi, was appointed by the President to inquire into the condition of the custom-house at New York.

Peter Field, one of Collector Hoyt's inspectors of customs, testified on oath before the commissioners that Tammany Hall assessed every officer of the customs a tax for electioneering expenses. One time he (Field) would not pay —on which Egbert G. Sweet, also an inspector of customs and collector of Tammany's assessments, said to him: “You will be sorry for this”—went to a book, tore out a list of the inspectors, etc., saying: “All you damned sons of bitches that don't pay up will be sorry for it. God damn you, I will remember you for it.”

Soon after this Field was put out.

This Sweet was subsequently examined and at once admitted that he had collected these assessments, that he had been absent several days in succession from his duties in the Custom House electioneering, and that these assessments went into the fund of the Tammany Hall Committee. These original Democrats, the “undefiled and untrifled,” did not hesitate, one and all, to declare in the language of Governor Marcy, that “they saw nothing wrong in the maxim that to the victors belong the spoils of the enemy.”

These arbitrary and compulsory assessment for partisan purposes had, in fact, now become a vital part of the reform Democratic organism. Their payment was made the test of party fealty. To rebel against them was treason to party, and was instantly and inexorably followed by decapitation. “Off with his head.”

## PART VIII.

### The Covode Investigation in 1860 — It Covers the

### Period from 1853 to 1860 — Its Exposure Amid the Corruptions of Pierce's and Buchanan's Administration of Partisan Assessments as a Cardinal Feature of the Democratic Organization — President Buchanan and Governor Hendricks Superintend the collections.

**Isaac West, of Custom - House, at Philadelphia, Testifies—Two Assessments for National and State Elections in Same Year—\$40 Assessed on Salary of \$1,095—Paid under Belief that Removal would follow Refusal—Assessments Paid More Promptly than Other Debts.**

In 1860, the Covode investigation covered the period from 1853, the date of inauguration of Frank Pierce, up to the close of Buchanan's reign. Among the appalling corruptions exposed, that of compulsory partisan assessments of Government employees was not the least. The evidence is very full, and to the point.

Isaac West, an inspector for five years in the custom-house at Philadelphia, was sworn. He said:

Q. Were you there at the time of the election of 1856, when Mr. Buchanan was elected?

A. Yes, sir.

Q. What do you know about moneys being raised off the employees of the custom-house on that occasion?

A. There was a certain tax levied upon the persons connected with the custom-house.

Q. What amount on each person?

A. A certain percentage. On a person receiving \$1,095 a year I think the tax for the Presidential election was from \$30 to \$33.

Q. Do you mean for the Presidential election alone, or for both Presidential and Congressional elections?

A. I mean the Presidential election alone.

Q. What about the other election?

A. The amount was not so great for the State election.

Q. How much was that?

A. That I do not recollect. It strikes me that it was from \$5 to \$7, something like that.

Q. The two then, would amount to in the neighborhood of \$40?

A. Yes, sir; in that neighborhood.

Q. Upon what salaries officers was that?

A. Those of \$1,100 or rather \$1,095 a year.

Q. Were the others assessed in proportion to their salaries?

A. Yes, sir.

Q. To whom was the money paid?

A. It was generally deposited. That portion which I collected in my department I gave to the deputy collector, Mr. Harbeson. I believe he was the treasurer, so far as the custom-house was concerned, and he paid it over to the executive committee, I believe.

Q. A political committee?

A. Yes, sir.

Q. Did all the employees pay?



A. I never knew one to refuse.  
 Q. What was the impression—that it was rather obligatory upon them to pay?  
 A. That seemed to be the impression; they all felt it their duty to pay that more promptly than some of their debts; that was the impression, but I do not know about whether they would have been removed if they had not paid, but it was considered obligatory, I believe.

**Joseph M. Lucas, a Clerk in General Land Office, Sworn—Assessments Pro Rata upon Salaries—From Two-and-a Half to Five Per Cent—The Disbursing Officers of Departments the Collectors of the Assessments—Government Furnished the Stationery—Assessments Paid to Buy Peace—To Avoid Proscription.**

Joseph M. Lucas, also a clerk in the General Land Office, was sworn:

Q. Will you tell us all you know about the collecting and raising of money there for political purposes?

A. I can give all the information I have, probably in a very few words. Whilst I was a clerk in that Department levies were made upon various occasions upon the clerks for funds, and on every occasion I dissented. It was against my feelings and principles. They did not come on all occasions to me; but the last occasion to which I took exception was one on which they wanted to raise a fund of eight or nine thousand dollars in the various Departments. That, however, I do not know, but such was the statement made to me.

By Mr. WINSLOW:

Q. Say nothing about statements or hearsay, if you please.

A. The list of the clerks was made out, their names in one column, their salaries in another, and the percentage levied in another column. This list they presented to me and five others in the room, all of whom paid but myself. I looked at the list and asked the two gentlemen who brought it who sent them to me. They said they were not going to answer me any questions, but asked me if I would pay. I told them "No;" and that is pretty much the substance of all the information I have. They went, as I saw, in the different rooms I happened to have business in, to the different clerks, and presented this list to them, and they paid their *pro rata* assessment. The information that we received was that it was to raise a fund to pay off a debt that had been contracted in Pennsylvania, which they expected to have raised out of Congress, but it adjourned without raising this amount, and they had to raise it in another way.

By the CHAIRMAN:

Q. Who carried that list into your room?

A. The persons who carried the list around for the portion of the office in which I was were Mr. Cramer and a Mr. Slocomb who hails from Mississippi, but is recognized probably as an Indianian. They brought the list around and there were four or five other clerks in the room beside myself. I refused to subscribe. My friends all told me that I had better subscribe, but I told them that I could not with my view of the case, and I denounced it in the public prints.

By Mr. OLIN:

Q. Do you recollect about what percentage was upon the salaries?

A. I do not, exactly; I think it was between 2½ and 5 per cent.

By the CHAIRMAN:

Q. You say that it was an assessment, and that you refused to subscribe?

A. It was a regular assessment. It was upon paper that I recognized as coming from a certain office. The names, the salaries, and the amounts to be paid were all put down.

By Mr. TRAIN:

Q. Where did the paper come from?

A. From the Department of the Interior. It was the same kind of paper as the pay-clerk uses. On a previous occasion an assessment was made in the middle of the month, when the clerks had no money, and the amounts were afterward deducted from their pay by the pay-clerk.

By the CHAIRMAN:

Q. Was that an assessment or a subscription?

A. I will not be certain whether it was an assessment or a subscription. At all events the money was deducted from the pay of the clerks by the pay-clerk.

By Mr. ROBINSON:

Q. When was that first assessment that you speak of?

A. I cannot be certain as to the exact time. It was during the struggle between Douglas and Lincoln.

Q. When was the last assessment made?

A. About two years ago, I think; somewhere about that time; I cannot fix the date precisely.

Q. There was none of that fund raised to help Douglas, I suppose?

A. No, sir; I think not. I know the Democrats as well as the others in the office denounced the matter, but yet paid. I know a great many of them denounced the principle, but they paid to buy peace, as they said.

Q. Were you for Douglas?

A. No, sir; I was for Lincoln. I was a Whig, and had never voted for a Democrat in my life, I think.

Q. When did you leave the office?

A. It will be two years in September next.

Q. Did you resign, or were you discharged?

A. I resigned, because I believed I would be removed.

**J. L. Cramer, Clerk in General Land Office, Sworn—A Collector of Partisan Assessments—Two Assessments in Same Year—Thos. W. Hendricks, Commissioner of General Land Office, and in 1876 Democratic Candidate for Vice-President, Bosses the Job in the Land Office.**

J. L. Cramer, a clerk in the General Land Office, was sworn:

Q. Do you know of any assessments made upon the clerks or employees there for political purposes?

A. I have asked the gentlemen—a portion of them—to contribute for that purpose.

Q. You asked them yourself?

A. Yes, sir.

Q. How was that contribution made; was it a certain percentage on the salary?

A. In one instance it was; a small per cent. was asked of the gentlemen.

Q. In what year was that?

A. My impression is that it was in the year 1856.

Q. Did you collect it that year?

A. I called on some of the gentlemen.

Q. In what way was that list made? Describe how it was prepared, whether with the names and the salaries, and percentage that was assessed, or how was it?

A. So far as my recollection serves me, *I am not aware that I had a list.* I think I had a *memorandum book*, in which I put down the names of such gentlemen as contributed, *knowing their salary and what proportion* it would be. That is my recollection of the matter

Q. Did you collect in 1858?

A. I collected on two occasions; it strikes me that one was in 1856, and the other was in 1858.

Q. Do you know for what State, or for what purpose, that money was collected either in 1856 or 1858?

A. I think the money in 1856 was collected to be appropriated to pay some balance to be supplied in Pennsylvania. If I remember right, the Democratic State committee had got into debt quite a sum of money, and it was with a view of liquidating that debt that the money was raised. It was just after the October election, I think, there was another collection to pay for some documents that had been printed to be distributed.

Q. Were not there two assessments made that year—one before the election, and another afterward, to make up a deficiency?

A. That is what I spoke of. I think one was before the election, and another to make up a deficiency. I was under the impression that the deficiency was the only one I had anything to do with.

Q. That one you collected?

A. Yes, sir

Q. Do you know at whose request that assessment was made to make up the deficiency in Pennsylvania?

A. I do not. I understood—

MR. WINSLOW, a Democratic member, (to witness:) Don't state what you understood; state what you know, if you please.

The WITNESS. I do not know.

By the CHAIRMAN:

Q. By whose authority was it done? Who was it that requested or directed you to perform this duty?

A. I took the paper around at the request of the Commissioner of the General Land Office

Q. Was it the assessment before or after the election that you collected?

A. I think it was after the October election, but I may be mistaken about that. I am not positive whether it was after that election or after the Presidential election.

Q. Do you know the total amount of that Pennsylvania deficiency to be raised?

A. I do not know only from what I heard; I have no other means of knowing.

Q. What was the amount you heard?

MR. WINSLOW. I object to the witness answering that question.

By the CHAIRMAN:

Q. Who told you what amount was to be raised?

A. I think it was the Commissioner, Hon. T. W. Hendricks.

Hon. THOS. W. HENDRICKS, the candidate, in 1876, for the Vice-Presidency on the Tilden ticket, and who is to-day, as he was in 1876, a prominent candidate for the Democratic nomination for the Presidency.

**Stephen G. Dodge, a Clerk in Pension Office, Sworn—Clerks in Pension Office Assessed—Assessments Paid on Principle of Life Insurance—To Insure Retention in Office—Details of the Job which is Bossed by Commissioner of Pensions Whiting.**

Stephen G. Dodge, a clerk in the Pension Office, which was removed on the ground of political unsoundness:

By the CHAIRMAN:

Q. State what you know about a paper that was handed around relative to raising money to meet a deficiency of the Keystone Club, and the manner in which that money was paid or to be paid.

A. In the spring of 1858—

Q. Was it the spring or summer?

A. In the spring or summer of 1858, or some time in 1858, a paper was presented to me for signature, headed 'as near as I can recollect, in these words:

"The undersigned request the disbursing clerk of the Department of the Interior to retain out of our salaries for the current month the sums set opposite to our respective names."

Q. In whose handwriting was that paper drawn?

A. It was apparently in the handwriting of the Commissioner of Pensions.

By MR. WINSLOW:

Q. The present Commissioner, Mr. Whiting?

A. Yes, sir; the subscription was headed with the name of the Commissioner with the sum of \$10.

By the CHAIRMAN:

Q. Did you know it to be his handwriting?

A. I say it was apparently in his handwriting. He has clerks in his office who frank his name, and whose handwriting is almost exactly like his. I could scarcely distinguish between their writing and his. It was apparently in his handwriting.

By MR. ROBINSON:

Q. Go on and state what else you know about it. What other names were to the paper?

A. The name of the chief clerk, who I think was absent, was also down for the sum of \$10, I think.

By the CHAIRMAN:

Q. In whose handwriting?

A. I think that was in the handwriting of the Commissioner; I think that Mr. Boyington's name was also down, and the best of my recollection is that he also contributed \$10; I was asked to sign the paper, but objected to doing so, on the ground that I had already contributed \$25 to the funds of the Indiana Club for the purpose of circulating the same kind of documents; but being advised by some friends that it would be better to make the contribution, I did so; and in a conversation with the Commissioner of Pensions himself, I said to him that I had done it upon the principle of life insurance—to insure my office to me.

By MR. ROBINSON:

Q. What reply to that remark of yours did he make?

A. I do not remember of his making any answer; I presume he had acted upon the same principle that I had; that is only my presumption, however.

It will be noticed that in these arbitrary partisan assessments by the Democracy, the disbursing officers of the Government were made the collectors of the party tax.

And so on through all the ramifications of the Government in all parts of the nation. As high as three assessments were made in the same year—one of them to support the newspaper organ at Washington, the *Constitution*, amid such broad-cast and notorious corruption as to cause Roger A. Pryor, a stalwart southern Democratic member of the House, to cry out in very shame:

"From the by-ways and highways of the Government the rottenness of cor-



ruption sends forth an insufferable stench. Why are the people so patient? Why slumber the indignation of the Democracy?"

## PART IX.

### Further Proofs from the Unpublished Records of the Department of the Interior of the manner in which these partisan Assessments were made and collected under Presidents Pierce and Buchanan by the Democratic Party.

**S. D. Mills appointed to assess Examiners of Patent Office—He fulfills his duty with characteristic Democratic Zeal—He reports a true Statement of Facts to the President—"J. B." indorses report to the Secretary of the Interior—Out of 26 Examiners only 14 "pony up"—Refusal to pay on ground of being no Politicians—Quakers—Appointed and rely upon their Scientific attainments.**

Let us now give, from a batch before us of original papers, parts of the old files of the Interior Department under Pierce and Buchanan hitherto unpublished, a few in proof of the extent and compulsory character of these partisan assessments.

The following is an illuminated document:

U. S. PATENT OFFICE,  
April 29, 1857.

SIR: Sometime before the first election in Pennsylvania last fall, I was called upon to wait upon the examiners of this office to solicit contributions to be expended in behalf of the Democratic party in that State, and the following is a true statement of facts connected with my interview with them.

- L. D. Gale—I have no money; I never attended a political meeting in my life.
- J. H. Lane—I stand on scientific principles; I am no politician.
- H. Baldwin—I will not give anything for such purposes.
- G. C. Schaeffer—Refuses to give upon the ground that he takes no part in political affairs.
- T. R. Peale—Refuses to give upon the ground that he takes no part in political affairs.
- T. T. Everett—Has contributed \$50 to N. Y. Club, and sent what money he could spare to doubtful districts in N. Y., and will give \$50 (paid in my presence) to Pennsylvania Club if wished by Pennsylvanians.
- J. M. Henry—Refuses to give one cent.
- A. Herbert—Refuses to give anything; is opposed to the principle.
- De Witt C. Lawrence—\$50, contributed to Pennsylvania Club, \$50 to Pa. campaign, \$25 to Mich. Club.

- T. H. Dodge—Out of city. (Pd. \$20 subsequently.)
- A. B. Little—Out of city. (Pd. \$20 subsequently.)
- E. Foreman—Has given \$25 to Md. Club, and \$10 to Pa.
- D. Breed—Refuses to give anything for any electioneering purposes; he is a Quaker and stands on scientific principles.
- C. B. Moss—For Pa. Club \$10; would give more if he had it to spare; subscribes purely as a Democratic partisan.
- J. Van Santvord—Refuses to give anything.
- J. Tyssowski—\$10 to Pa.
- H. P. K. Peck—\$10 to Pa.; have contributed a small sum to Ohio Club.
- M. Bull—Has given \$10 to Pa.
- W. B. Taylor—Have subscribed \$15 to Pa. Club.
- Wm. Read—Have just subscribed \$2.50 into Ky. Club for sending documents to that State, and am at present out of funds, or I would subscribe.
- A. T. Jenks—\$25 to Pa. Club, \$10 for Pa. at present; (\$20 subsequently.)
- J. D. Toll—\$25 to Mich. Club, and considerably otherwise purchasing and sending off documents.
- J. H. Adams—Has subscribed \$10 to Pa.
- S. E. Cowes—\$25 to N. H. Club.
- E. Shaw—\$10 to Pa.
- French—Was not appointed on political principles.

Respectfully submitted,

S. D. MILLS.

The report relating to the Patent Office employees has the following indorsement:

"S. D. MILLS,

*Of the Patent Office, April 29, 1857:*

Before the first election in Pennsylvania last fall, he waited upon the examiners of the bureau to solicit subscriptions in behalf of the Democratic party in that State, and gives a statement of his interviews with each.

Out of the 26 but 14 subscribed; the others absolutely refusing, or giving some lame excuse. One of the subscribers gave \$2.50."

Then follows, in a different handwriting, the following:

"Referred to the Secretary of the Interior. J. B."

"J. B."—that is, James Buchanan, the President of the United States. That shows that the report was made to President Buchanan; that he received and approved and sent it to the Secretary of the Interior. He thus indorsed the practice of partisan assessments on the salaries of government employees, and by sending the report to their official superior indicated his judgment that the delinquent or recalcitrant examiners should be decapitated.

**Report of the New York Democratic Association at Washington, D.C., respecting partisan assessments—List of delinquents in the Bureaus of the Interior Department—List of those in Post Office Department—Ratio of Assessment—Causes Assigned for Failure—List of those indifferent—List of those who exhibited Praiseworthy devotion to Democratic Cause by promptly "Ponying up"—Order of Association to file Report with Secretary of the**

### Interior and Postmaster-General—Indorsement of Department on Report.

Like the foregoing, the following is a strongly illuminated paper :

*Extract from a Report made by the Committee in pursuance of a resolution adopted by the New York Democratic Association of Washington City, on the 11th November, 1856, instructing it to collect information regarding payments by New Yorkers in office in Washington; and who failed or declined to act with said Association in aid of the Democratic cause.*

#### INTERIOR DEPARTMENT.

Simcon Smith, clerk—was a so-called "Republican;" and failed to respond to the call of the Assn.

#### GENERAL LAND OFFICE.

C. Walbridge, clerk—failed to respond to the call of the Assn.; and so far as we can learn paid nothing for our cause.

D. McCarty, clerk—failed to respond to our call, until assessed elsewhere; when he paid our Treasurer \$15 on the day of Pennsylvania election.

Richard Kelly, clerk at \$1,400 per annum—failed to respond to our call; but, late in the canvass, handed our Treasurer \$2.50.

M. J. Bacon, clerk—subscribed \$2.50 per month, or \$12.50, but failed to pay anything; his name was stricken from the list of members of the Association by resolution.

#### PATENT OFFICE.

L. D. Gale, examiner—declined to aid the Democratic cause, saying he would not interfere in politics.

Daniel Breed, asst. exr.—refused to give anything to the Democratic cause, stating that he held his office in virtue of his scientific attainments; he is a so-called "Republican."

J. Van Santvord, asst. examnr.—stated, in response to an assessment from another quarter, that he was opposed to the principle of giving to sustain the Democratic cause, and failed to respond to our call; he was a so-called "Republican."

F. W. Ritter, clerk at \$1,600 per ann.—subscribed \$1 per month, or \$5, but paid only one-half of that amount, and did no service.

W. W. Turner, Librarian—is a so-called "Republican" foreigner, and refused to aid the Democratic cause; he did not respond to our call.

Jas. S. Ewbank, clerk—failed to respond to our call, and we are informed does not claim sympathy with the Democratic cause.

#### PENSION OFFICE.

Samuel Cole, Chief Clerk—failed to respond to our call, and kept aloof from the Canvass until late, when he paid, involuntarily, elsewhere about \$20.

*As the following named New Yorkers, judging by their conduct, appear to have been indifferent to the Democratic cause during the Canvass, it is deemed proper to give the following facts concerning them.*

#### PATENT OFFICE.

D. I. Browne, Agricultural Division—kept aloof, without responding to our call, until the State election in Pennsylvania; after that he sent to our Treasurer \$30.

#### GENERAL LAND OFFICE.

Silas W. Gillett, Clerk—failed to pay anything, and did nothing in favor of our cause that came to the knowledge of the Association.

H. L. Kendig, Clerk in Pension Office—subscribed \$10, but only paid \$2; he received \$1,400 pr. ann.; came to our room several times, but was entirely inefficient.

*Names of persons, members of the New York Democratic Association, and others, hailing from New York, who exhibited proper and praiseworthy devotion to the cause of the Democracy during the Canvass of 1856.*

#### EXTRACT.

#### INTERIOR DEPARTMENT.

P. Lammond, clk.—contribution of money and personal effort.

#### OFFICE OF INDIAN AFFAIRS.

Charles V. Ioline, clerk—contribution of money and personal effort.

I. Bartow (since resigned)—contribution of money and personal effort.

H. R. Schoolcraft (on Statistics)—contribution of money and personal effort.

#### GENERAL LAND OFFICE.

I. N. Granger, Recorder—contribution of money.

S. Brintwall, clerk—contribution of money and personal effort.

C. C. Leeds, clerk—contribution of money and personal effort.

I. L. Cramer, clerk—contribution of money and personal effort.

N. B. Smith, (late Pay Gen'l Off.)—contribution of money and personal effort.

G. H. Gurley, clerk—contribution of money and personal effort.

I. B. Hunt, clerk—contribution of money and personal effort.

#### PATENT OFFICE.

T. T. Everitt, Examr.—contribution of money.

A. M. Smith, clerk—contribution of money and personal effort.

#### PENSION OFFICE.

Wm. B. Malcom—contribution of money and personal effort.

A. G. Fowler—contribution of money and personal effort.

Elias Marsh—contribution of money and personal effort.

March 24, 1857. On motion, ordered, that the report of the Committee be accepted, and a copy of the same be forwarded to Hon. John Kelly and Hon. I. B. Haskins, together with lists of other delinquents, and such persons residing in Washington, as aided the Association with labors and contributions, with the request that so much thereof be presented by them to each of the Secretaries and the P. M. General as relates to their respective departments.

By order of N. Y. Democratic Association,

CHS. O. JOINE, N. B. SMITH,  
Recording Secretary. President.

This report of the committee of the New York Democratic Association has the following indorsement :

Interior Department. Report of a committee of the New York Democratic Association giving names of clerks in the Interior Department who refused to contribute for Democratic purposes, and also of those who thus contributed.

**Pennsylvania Democracy active partisans of Political Assessments—Report of Pennsylvania B. & B. Club under instructions of Club—List of Penn-**



### sylvanians who refused the "Spondulix."

The Pennsylvanians were also active partisans of political assessments. These Democratic patriots, like their confreres of New York and other States the supporters of Lecompton, and the violent and bloody border ruffian rule in Kansas, believed that all who refused to contribute to the fund for the maintenance of that rule, should be summarily guillotined. The following is the report of their club in the matter:

[Copy.]

PENNA B. & B. CLUB ROOM,  
WASHINGTON CITY, D. C., Nov. 12, 1856.

In obedience to a resolution of the club, passed Aug. 6, 1856, calling on the Secretary for a report of the number of persons in office from Pennsylvania, who refused to connect themselves with our organization, I herewith report the following named gentlemen, as having refused to aid us, either with their money or their presence:

1. Francis Marhoe, State Dept.....	\$1,800
2. A. H. Derrick, " " .....	1,600
3. John P. Polk, " " .....	1,600
4. S. M. McKean, Treasury Dept.....	2,000
5. James M. Ramsey, " " .....	2,000
6. W. M. Gongs, " " .....	1,600
7. John B. Sullivan, " " .....	1,600
8. B. W. Keyser, " " .....	1,400
9. J. B. Oliver, " " (Re-	
moved May 29, 1858) .....	1,400
10. Brooke Mackall, " " .....	1,400
11. C. M. Harris, " " .....	1,400
12. W. L. Waller, " " .....	1,400
13. A. G. Marshman, " " (Re-	
moved Nov. 13, 1857) .....	1,200
14. J. C. Kitchman, " " .....	1,200
15. J. R. Peale, Interior Dept.....	2,500
16. G. P. Howell, " " .....	1,400
17. Thos. H. Baird, " " (Re-	
moved Feb'y 3, 1858) .....	1,200
18. Archibald Campbell, War Dept .....	2,200
19. W. P. Young, P. O. Dept .....	1,600
20. C. K. Stillwagon, Navy Dept.....	1,400

Respectfully submitted to the club,

THOS. J. McCAMONT,  
Rec. Sec'y.

21. NOTE.—To above may be added Alexander Hood, who refused to give until after October election.

**Hon. D. A. Smalley of Vermont to Secretary of the Interior—Demands Removal of J. H. Lane because he refused to pay Assessments—Payment of Assessments a test of Democracy—Refusal to pay Good Ground for Removal—James Lake Henry, an indignant Democrat Charged with infidelity to Party—A Slaveholder and Cordial Hater of Black Republicans—He not only Contributed, but when an officer of the Army, Marched his two Companies of Regulars to the Polls in Detroit and ordered them to vote Democratic ticket and defend themselves in so voting.**

One interesting and instructive document consists of a letter from A. J. Cass, an officer in the Treasury, to D. A.

Smalley, a Democratic M. C. from Vermont. The letter was written at the request of Smalley, Mr. Cass, having some doubts of "the propriety of one clerk volunteering charges against another." Mr. Smalley was not troubled with scruples. Mr. Cass says:

WASHINGTON, D. C., May 16, 1857.

Hon. D. A. SMALLEY,

DEAR SIR: The man J. H. Lane is an Examiner in the Patent Office from your State. If he has not been since the advent of Christ, he has certainly been so long that "the memory of man runneth not to the contrary." From reliable information I have ascertained that he has never been with us politically, hence, he has been against us. When we were at work like scalled fiends to avoid being driven to the wall by the horde of "black spirits and white" in Penna., Mr. Lane refused to give us aid and comfort, stating that he "stood on scientific and not on political principles." \* \* \*

I remain,

Yours truly,

A. J. CASS.

The above letter was enclosed in the following one from Smalley:

WILLARDS HOTEL, May 16, 1857.

DEAR SIR: Before I leave the city, permit me to say a word about two clerks from Vt. in your Depts. One is S. G. Heaton, in Pension Bureau. He is a sound and reliable Democrat, and I sincerely hope will be retained, as Vt., I think, has much less than her quota of Clerks.

Mr. J. H. Lane is also an Examiner, appt. from Vt., and I think he ought to be removed—the reasons therefore will be found in the enclosed not from Mr. Cass, written in reply to one I addressed him yesterday.

With High  
Respect yours  
Truly,

D. A. SMALLEY.

Hon. Jacob Thompson,  
Sec'y of Interior.

Following the above, on the same sheet of paper, this State paper is added:

"To the foregoing note of my friend Smalley, I desire to add that I have the best reasons for believing that about 50 per cent. of the clerks in the Land and Patent Offices are *anti-Democratic*, under one *ism* or another. The only evidence which you should require of this fact—is the *refusal of any one* to contribute toward the expenses of the late Presidential election, unless for the assigned cause of *sheer poverty*.

There are some in your owa department who not only refused to contribute, but avowed the ground of their refusal to be that they were not democrats.

Is it to be said that their places *cannot* be supplied? I trow not.

Faithfully and Cordially,  
Your friend,

ALBERT SMITH.

Another contribution to history consists of a letter from J. L. Henry, an Examiner in the Patent Office, addressed to Hon. Jacob Thompson, Secretary of the Interior, as follows:

U. S. PATENT OFFICE,

June 10, '57.

SIR: I learn that my name is upon a list "Bl'k Republicans, Know-Nothings, etc.," before you.

If so, the one who was instrumental in placing it there deserves punishment for blind, if not malicious falsehood. My entire family and relatives are (being slave-holders) *cordial haters*

of that class of men. But, as I did all in my power (by subscription, example, etc.) to defeat them, and to elect our President, I feel mortified at this step—unnecessary, I hope, to vindicate my self-respect.

I may add that Mr. Buchanan is my personal friend, procured my cadetship, has more than once kindly written me advice, etc.

I may further add that, in '50-1 I was reprimanded by order of the War Department, and violently prejudiced by opposing papers, for (as an officer) "interfering in elections" and causing my two companies of regulars to be marched to the polls, in Detroit, and defend themselves in voting for Mr. A. W. Buel, (Democrat)—the opponent of E. G. Penniman (Whig). Lastly—I have a letter from one of your co-equals (if I may so speak) asking promotion for me. \* \* \*

I have the honor to be

Yr Ob't Serv't,

JAS. LAKE HENRY,

*Examiner  
of P'ts.*

Hon. J. THOMPSON,  
*Sec'y of Interior.*

P. S. My name was at the head of a list prepared by the Know-Nothings, for proscription before the election.

We might multiply, from the batch before us, these characteristic letters, but the foregoing amply tell the shameful tale of the corrupt and tyrannical abuse of political assessments by the Democrats under Pierce and Buchanan.

## PART X.

### The Law of 1876, prohibiting Political Assessments—Some facts in the History of its Passage.

**Law of 1876, passed by the Confederate Brigadiers—Part of the Confederate machinery to wrest National Government from the hands of the majority—Violated even at the date of its passage by its Democratic authors—The Brigadiers and all of the employees of Congress assessed in 1876 by Democratic National Committee for partisan purposes and promptly foot the bill—Hon. S. S. Cox, friend and protégé of John Kelly—S. S. Cox in 1876 denounces Republicans for political assessments—Tammany's Assessments in 1876 of municipal employees of New York in support of Sammy's election to House—Kelly's assessment circular of 1876.**

The law respecting political assessments referred to by Mr. Pendleton in the Senate, and by Geo. Wm. Curtis in his circular, was passed in 1876. It was passed by the Confederate Brigadiers. It was passed as a part of the machinery by which they proposed to wrest the National Government from the hands of the majority. By it, all they proposed was to defeat or cripple the organization of the Republican party by defeating

all voluntary contributions, not assessments, in its support. That is absolutely notorious. For at the moment of its passage the party committees of the Democracy were assessing the Brigadiers, Senators and Members, and all the employees of both Houses of Congress, for partisan purposes. Thus, at the moment of its passage, their own committees, with their knowledge and approval, were violating the provisions of the law, and the Brigadiers united in their infringement by paying these assessments. Could party craft be meaner or more wicked?

Now, Hon. S. S. Cox, a Democratic member of the House representing a virtuous New York city constituency, is a genius and a scholar, rich in political history and racy in debate. He is par excellence a reformer of the most approved copperhead type—a purist in everything—in politics, as in religion and morals. He literally abhors all vice—all corruption—all the machinery or agents of corruption or vice. His great mission on earth, like that of Pendleton and Curtis, is to purify our politics and society. Hence, being a New Yorker, he is naturally, as from inclination or ambition, a friend and protégé of that great and good man, the grand sagem of Tammany, John Kelly. Hence, also, in 1876, Hon. S. S. Cox was the principal, as he was the ablest and most eloquent, supporter of the law against political assessments.

His invectives against the corrupt system of arbitrary assessments for partisan purposes were as terrible as eloquent, as was also his arraignment of the Republican party as guilty of corruption and tyranny in resorting to or enforcing such assessments. Against all such corrupt party practices this sublimated patriot, the "high toned" and virtuous S. S. Cox, would revolt as contaminating. Nevertheless, about the date of these utterances in 1876, this incorruptible purist, our "Little Sammy," was liquidating the assessment of his own party committee, and in New York city, at home, in support of Sammy's re-election, among other partisan purposes, his friend and patron, John Kelly, the good Sagem of Tammany, was assessing in a vast sum the municipal employees of the New York city government. About that date, the New York *Herald* published the following circular from the Democratic general committee, signed by Augustus Schell as chairman, and John Kelly and others as its finance committee:

SIR: The Democratic Republican General Committee of New York are much in want of funds to pay the legitimate and necessary expenses of the coming Presidential, State, and county elections, to be held in November ensuing, and request from you for that purpose a contribution of — dollars.



By paying that amount to the collector, Mr. John D. Newman, at your earliest convenience, you will greatly oblige.

This circular is a copy of the one regularly addressed by the Tammany committee, at all National, State, or municipal elections, to all the employees of the municipal and State governments, when under the control of the Democracy, and the assessments thus made are inexorably enforced. Woe to the unfortunate wight who hesitates or refuses to pay them. By virtue of such assessments the Honorable S. S. Cox holds his seat in the House.

**Corrupt Character and Vast Amount of Tammany's Partisan Assessments on New York City and County—\$442,600—Personal Plunder of Tammany—Sammy Cox's Friend and Patron—The Shameful Story in detail of this Systematic Corruption.**

A successful politician must necessarily be a good arithmetician, not only must he be well versed in the rules of addition, division, subtraction, and "silence," quoting the words of our able and sprightly "contemporary the *Sun*, but he must possess the ability of a lightning calculator, so as to be competent to arrive at totals and percentages with promptness and accuracy. Take the plunder to be scrambled for in the political pool in this city in the present elections, for instance, and it will be seen that the capacity of an expert accountant is needed to grapple with the figures involved. We have to elect a Mayor, a Sheriff, a County Clerk, a Surrogate, a Judge of the Superior Court, a Judge of the Marine Court, six Aldermen-at-Large, sixteen district Aldermen, three Coroners, seven Congressmen, and twenty-one Assemblymen. Here are fifty-eight offices to be divided up among a hungry crowd of applicants numbering nearly as many hundreds, and the labor is of course increased when the division is to include the members of a rival political organization. The first thing necessary is to ascertain the net value of the offices, after deducting the political percentages claimed by the successful party, and the result of this primary calculation shows as follows:

Office.	Annual Salary	Political assess- ment	Net re- mains
Mayor.....	\$12,000	\$5,000	\$7,000
Sheriff.....	110,000	50,000	60,000
County Clerk.....	75,000	25,000	50,000
Surrogate.....	15,000	3,000	12,000
Superior Court Judge.....	17,500	5,000	12,500
Marine Court Judge.....	10,000	2,000	8,000
President Board Aldermen.....	6,000	1,500	4,500
Twenty one Aldermen.....	105,000	21,000	84,000
Seven Congressmen.....	35,000	10,500	24,500
Twenty-one Assemblymen.....	31,500	5,700	25,800
Three Coroners.....	75,000	15,000	60,000
<b>Totals.....</b>	<b>492,000</b>	<b>243,700</b>	<b>348,300</b>

The distribution of the political plunder of this city, therefore, implies the bestowal upon political favorites of the snug net annual income of \$648,300, and the securing for party purposes the handsome contribution of \$134,700 each year, or its proportion during the continuance of those elected in office. But this is by no means all, or the most important portion of the plunder. The election of a party mayor, sheriff, county clerk, and surrogate means the bagging of a very large amount of direct official patronage with those offices in addition to the salaries and fees. The mayor appoints the heads of de-

partments when vacancies occur during his term, all of which enter into the calculations of the political pool. The sheriff's order of arrest, clerk, and deputies make large amounts outside of the sheriff's regular fees, amounting in the year, according to the estimate of an expert, to double the amount of the sheriff's gross income, or, say, one hundred and eighty thousand dollars, the illegitimate charges greatly exceeding the legitimate charges under some former sheriffs. This portion of the plunder account stands as follows:

**PATRONAGE OF NEXT MAYOR.**

One police commissioner.....	\$6,000
One-third patronage of police department as per tax levy of 1876.....	1,363,000
Two commissioners of accounts.....	6,000
Patronage of office, 1876.....	6,000
One supervisor <i>City Record</i> .....	5,000
Patronage of office, 1876.....	25,000
One commissioner of charities and correction.....	5,000
One-third share of salary patronage.....	93,000
One fire commissioner.....	5,000
One-third share of salary patronage.....	349,000
One health commissioner.....	5,000
One-third share of salary patronage.....	46,000
One dock commissioner.....	3,000
One-third share salary patronage (estimated).....	100,000
One park commissioner.....	5,000
One-third share of salary patronage.....	151,000
One commissioner of taxes and assessments.....	5,000
One-third share of salary patronage.....	34,000
Superintendent of buildings.....	6,500
Patronage of office.....	68,500
Comptroller (probably).....	12,000
Patronage of office.....	230,000
Corporation counsel (probably).....	15,000
Patronage of office.....	145,000
<b>Gross total.....</b>	<b>\$2,681,000</b>
<b>Less 10 per cent. political assessment.....</b>	<b>268,400</b>
<b>Net plunder.....</b>	<b>\$2,412,600</b>

We include the comptroller's and corporation attorney's offices as the probable plunder of the next mayor, because, although the terms of office of Mr. Green and Mr. Whitney will expire before Mayor Wickham retires from public life, the board of aldermen is understood to be under instructions not to confirm Mr. Wickham's appointments to these offices should the Tammany mayor be successful, but to leave them to his successor. In addition to this we have the patronage of the sheriff's and county clerk's offices outside the fees of the principals, and of the surrogate's office, which is estimated as follows:

Sheriff's patronage.....	\$180,000
County clerk's patronage.....	50,000
Surrogate's patronage.....	75,000
<b>Total.....</b>	<b>\$305,000</b>
<b>Less ten per centum political assessment.....</b>	<b>30,500</b>
<b>Net patronage.....</b>	<b>\$274,500</b>

We therefore have as the total city and county plunder at stake in the present election the following grand total:

Gross direct salaries and fees.....	\$492,000
Less political assessments.....	143,700
<b>Gross mayor's patronage.....</b>	<b>2,684,000</b>
<b>Less political assessments.....</b>	<b>268,400</b>
<b>Gross other patronage.....</b>	<b>\$305,000</b>
<b>Less political assessments.....</b>	<b>30,500</b>
<b>Net personal plunder.....</b>	<b>\$3,038,400</b>
<b>Political assessments.....</b>	<b>442,600</b>
<b>Grand total plunder.....</b>	<b>\$3,481,000</b>

It is very easy to understand from this statement how difficult a work it must be to auction off and divide up these offices among politicians of rival and adverse organizations, and why Mr. John Kelly is so anxious to secure all the spoils for his own political household.—*New York Herald, October, 1876.*

**The Democrats of North Carolina, like their Congueurs of New York, also denounce Partisan Assessment while enforcing assessments upon all officials whom they control.**

We have come into possession of a circular from the Republican Congressional Committee to a gentleman holding an office under the government in the city, assessing him the sum of \$3 for the benefit of the campaign fund.—*Elizabeth City "Falcon."*

Happy Republican official! And we have come into possession of the fact, as alleged, that it is proposed to assess the entire Democratic gang of chronic officeholders, including State officials and Congressmen, one month's pay each for campaign expenses. There will be a lively time in getting that month's pay out of many of these gents, particularly those of them who feel their official days are numbered, and that list includes seven Representatives and one Senator in Congress. But make them pay out of the plunder they have already received.—*Raleigh N. C. Journal.*

So throughout the States, in county, city, and town, wherever they have control, the Democracy, all reformers of the Pendleton and Cox and Curtis type, while clamoring against Republican contributions, inexorably enforce their system of political assessments as a test of party fealty.

## PART XI.

### **Further Exposure of the False Pretenses of Pendleton, Randall, Cox and Curtis, in the Matter of Political Assessments.**

**Hypocrisy of the Democracy and the Civil Service Reform Noodles against Political Assessments—All in the Past, as in the Present, guilty of levying a Partisan Tax, Political Assessments, upon their Supporters—No Party but the Democratic Party ever Arbitrarily Assessed Government Employees for partisan purposes—No Party but the Democratic Party ever inflicted Removal from Office as the penalty of Non-Payment of the Assessments of the insatiable Democratic Tax Gatherer—But the corrupt practice originated in 1829 in the Democratic Party—That Party inexorably enforced the Tax throughout its long Misrule—The History of the Republican Party one whole Conflict against such Corrupt Tyranny.**

Hence, the studied hypocrisy, the fraud or false pretense of the highly

wrought indignation of the Pendletons, Randalls and Coxes in the Senate and House, and the Democratic press—by the leaders of the Democratic party everywhere—at partisan assessments, at arbitrary and compulsory assessments for partisan purposes—as also their affected horror at the pretended corruption and demoralization of the times, their simulated sympathies for oppressed office-holders coerced to submit to arbitrary assessments of their "meager salaries" for partisan purposes, and their theatrical laments over the fall of purity in parties and the consequent dangers to liberty and morals, can all be properly appreciated at their real worth and in their real character—as only the old masks with which these hereditary conspirators against freedom, honest administration, and the purity of party—our hereditary corruptionists—march to the resurrection of that putrescent old hulk—the Democratic party.

No party but the Democratic party ever resorted to compulsory partisan assessments. No party but the Democratic party ever inflicted the penalty of dismissal from office upon the unfortunate Government official, who failed or refused or was unable to liquidate this arbitrary party tax at the command of the insatiable Democratic tax gatherer; but this practise, as corrupt and demoralizing as it was tyrannical originating with the Democracy, was inexorably enforced by that party and its organs in the national, State, and municipal governments under their control throughout those fifty years of misrule which Pendleton, in the Senate, so highly eulogized. Every principle of the Republican party revolts at such a practice. Its whole history is one of conflicts with such practices, and its only parallel in any party is to be found in the attitude of George Wm. Curtis and the so called Civil Service Reformers in their campaign against the Republican party in support of the violent and corrupt Democratic bulldozer. These political purists, these pretenders to reform of the Civil Service—the Pendletons, rich in the spoils of rotten railroad claims; the S. S. Coxes, elected by Tammany through the very agencies or practices they denounce, arbitrary and compulsory partisan assessments of municipal employees of their cities or districts, with Geo. Wm. Curtis, all work upon the same plane to the same ends—the overthrow or suppression either by violence or fraud of the lawful majorities of the Nation. They all abhor the majority. They all arbitrarily assess their retainers wherever they have the power and despotically punish all delinquents. "Shoot deserters," "Decapitate all delinquents of the party tax," were.



inflexible cardinal maxims of the old Democracy.

**Curtis Places himself on the platform of the Bourbon Bulldozer—He denounces the Rule of the Majority, and proclaims the Rule of the Minority—Curtis and his Reform Pretenders ever clamoring for Contributions—His Simulated Sympathies for the Oppressed Office-holders Extinguished by their contributing to the Fund of the Party which saved the Nation—All Such Contributing Officeholders must expiate Such Sin in the Penitentiary, their Families in the Almshouse—Curtis the Genius of the Inquisition—Viva Curtis and Loyola—Viva Curtis and Wade Hampton!**

Geo. Wm. Curtis and his bogus reformers are ever clamoring for pecuniary aid, for contributions, for "donations" of money. A passage of their circular addressed to every Government employee, reads:

Donations for the general purposes of the Association are requested. Checks should be drawn to order of John C. Eno, treasurer, and addressed to William Potts, secretary.

Another passage reads:

The Association invites all citizens to join its numbers and assist in improving our civil service and purifying our politics.

Annual dues for membership, \$2. For further particulars address William Potts, secretary.

Thus George Wm. Curtis and his bogus reformers declare that it is perfectly justifiable, highly moral, and in the line of a pure Civil Service for their bogus association, for this combination of unprincipled noodles yclept reformers, this party of bogus Civil Service reformers, to daily address Government officials clamoring for donations of money, to assess or tax in the form of annual dues, every member of their association or party, whether Government officials or not, for a partisan fund with which to defray the expenses of their slanderous publications against the Republican party; but in the same breath denounce as immoral, corrupt, and oppressive for the Republican organs to request and receive of Government officials, or for such employee to contribute, "money or other valuable thing" in support of the party upon whose courage and virtues, now as in all the past, wholly rest the liberties as the morals of the people and nation.

True, Curtis and his bogus reformers have not the power to remove those

officials who treat their clamors for contributions, their daily requisitions for money, with contempt. But they act upon the principle as far as their power extends. And Curtis has removed all doubt as to his motives or purposes. In his oration before the Phi Beta Kappa Society, of Brown University, in June, he publicly placed himself upon the plane, the platform, of the Southern oligarch. He repudiated the majority. He denounced what he styles "the servility to the majority," and declared in favor of the rule of the minority, the rule of the oligarch, the rule of the "educated classes"—in favor of that rule which in every nation, in all ages past, has been marked by uniform results, the betrayal of liberty, the degradation of humanity, in the establishment through every vile crime of a slavish tyranny, corrupt and bloody.

That, too, was the platform of the old Southern slave-owners—the platform, the motive and purpose, which lay at the bottom of the slave-holders' rebellion. It is the platform to-day of the Southern oligarch—the rule of the "educated classes"—the platform and purposes of a "Solid South"—the public position upon which the Bourbon Democracy justify ballot-box stuffing, intimidation, and every violent and corrupt or fraudulent election villainy by which the domination of the "educated classes," "the wealth and intelligence" of the "Solid South," is maintained. Curtis thus places himself and his shabby array of reform pretenders upon their natural platform. He thus announced and illustrated their motives and purposes. He thus exposed their alliance with the violent bull-dozing supporters of the corrupt minority rule of the "Solid South." Why then should he not be indulged in their role? To assess or tax the multitude or masses—to assess or tax the "rank-scented many," the canaille, and to punish all who resist or refuse his tax? He charges the circular of the Republican Congressional Committee with "virtually threatening" all who refuse or fail to contribute to the party fund. But Curtis indulges in no "virtual threats." He openly declares that all who do contribute shall not only be removed, but prosecuted, fined, and imprisoned in the penitentiary! Is not that the very genius of torture? The genius of the inquisition? The genius of an oligarch like a Boisguilbert or Front du Boeuff? All sympathy for their oppressed condition, all commiseration for their wives and children, are extinguished by the crime of thus contributing, and they and their families must expiate their outrecuidance in dishonor and misery in the penitentiary and almshouse! *Vive Curtis and Wade Hampton! Vive Curtis and Jeff. Davis!*

## CHAPTER V.

## Appointments and Removals—The Guillotine.

"The OUTS, honest fellows, would think it no sin,  
To drive the INS out, and so screw themselves in;  
While the INS (O the rogues!) are agreed to a man,  
To keep themselves snug where they are—if they can."

## PART I.

**Washington's Administration.**

**Organization of the government under Washington—His first Cabinet—Formation of Parties—Federalists and Republicans—Principles and objects underlying their organizations—Washington fiercely assailed and traduced—Lampooned and caricatured—Jefferson, as Secretary of State, supports Washington's libellers—Scenes in the Cabinet—Jefferson's Anas—Washington appointed only partisans of his administration—Pronounces the opposite course "Political Suicide"—Shrewdly anticipates the practices underlying the formation of modern parties.**

The government of the United States under the constitution went into operation on Wednesday, March 4, 1789—President George Washington was not inaugurated until April 30, following. He selected as his cabinet: For Secretary of State, Thos. Jefferson of Virginia; for Secretary of Treasury, Alexander Hamilton, of New York; for Secretary of War, Henry Knox, of Massachusetts; and for Attorney General, Edmund Randolph, of Virginia. Samuel Asgoud of Massachusetts was appointed Postmaster-General. With these Washington organized the government. He had been unanimously elected. Parties had not as yet taken form or root in the Nation; and his appointments at first were wholly of men of Revolutionary fame or stock or their friends or adherents. Soon, however, the radical differences which manifested themselves in the convention which framed the Constitution, the wide differences of opinion caused by the French Revolution, and the divisions respecting Washington's foreign and domestic policy, consolidated themselves into opposite parties. These took the name of Federalist and Republican. Among the principal of the recognized leaders of the Federalists were Washington, the elder Adams, Alexander Hamilton,

Fisher Ames, and Madison for a time; among the leading Republicans were Jefferson, Aaron Burr, Elbridge Gerry, Wm. B. Giles, Monroe, Clinton, etc.

The original division or separation into parties, and from which these parties took their names, was upon the character or interpretation of the Constitution. This division was anticipated by the differences in the constitutional convention. The Federalists were the partisans of the Constitution as it was adopted, and the advocates of a strong national Government through a vigorous administration of the powers or forces of the organic law under a liberal construction. The Republicans in the convention had opposed the Constitution. They regarded it, in the language of Patrick Henry, as "a squinting toward monarchy," or as Jefferson described it, as "an elective monarchy," after the ancient Polish pattern—the worst possible form of government—and attempted to popularize or circumscribe its powers, restricting the forces of the National Government and enlarging those of the States, by a strict or literal construction.

The formation of these parties brought with it the inevitable battle for power and spoils, and the conflict soon waxed "fast and furious." It tested all Washington's equanimity. He was lampooned and caricatured, and charged with almost every crime in the political calendar. He was no statesman—not even a soldier. He was an "anglomaniist," or tool of England—a "tyrant" and "monocrat," bent on destroying the liberties of the people in the establishment of kingly government; a speculator, and was even charged with murder in 1757 in the old French wars. It is not remarkable that Washington's great self-command broke down under this systematic abuse. Jefferson in his "Anas," in describing scenes in Washington's Cabinet of which he was a member as Secretary of State, says:

Knox, in a foolish incoherent sort of a speech introduced the pasquinade lately printed, called the funeral of George W—n, and James W—n, king and judge, &c., where the President was placed on the guillotine. The President was inflamed; got into one of those passions when he cannot command himself; ran on much



on the personal abuse which had been bestowed on him; defied any man on earth to produce one single act of his since he had been in the government which was not done on the purest motives; that he had never repented but once the having slipped the moment of resigning his office, and that was every moment since; that by God he had rather be in his grave than in his present situation; that he would rather be on his farm than to be made emperor of the world; and yet that they were charging him with wanting to be king — [*Jefferson's Works, Vol. 9. p. 164.*]

Jefferson was charged with retaining some of these slanderers of the General in the State Department. In his "Anas" Jefferson says that Washington declared:

"That that rascal Freneau sent him three of his papers every day, as if he thought he would become the distributor of his papers; that he could see in this nothing but an impudent design to insult him; he ended in this high tone. — [*Ibid., p. 164.*]

"He [Washington] adverted to a piece of Freneau's paper of yesterday; [May 22, 1793] he said he despised all their attacks on him personally, but that there never had been an act of the government, not meaning in the executive line only, but in any line, which that paper had not abused. He had also marked the word republic V, where it was applied to the French republic. (See the original paper.) He was evidently sour and warm, and I took his intention to be, that I should interpose in some way with Freneau, perhaps withdraw his appointment of translating clerk to my office. But I will not do it. — [*Ibid., p. 145.*]

Jefferson was probably correct in the belief that Washington wished the removal of Freneau. The formation of parties had brought discord into his cabinet. Hamilton and Knox had joined the Federalists, and Jefferson and Randolph the Republicans, and a constant conflict of opinions and purposes were the result. Jefferson and Randolph notoriously labored to thwart Washington's policy and to injure his administration in the estimation of his countrymen. Such a conflict could have but one conclusion. Jefferson found it necessary to withdraw, Randolph was retired in disgrace, and Washington was coerced to adopt the rule to appoint none hostile to his administration. He believed the opposite practice absolutely suicidal. In a letter dated "Mt. Vernon, 27th September, 1795," to Timothy Pickering, Secretary of War, Washington urges:

"I shall not, whilst I have the honor to administer the government, bring a man into any office of consequence knowingly, whose political tenets are adverse to the measures which the general government are pursuing; for this, in my opinion, would be a sort of political suicide. That it would embarrass its movements is most certain. But of two men equally well affected to the true interests of their country, of equal abilities, and equally disposed to lend their support, it is the part of prudence to give the preference to him against whom the least clamor can be excited." — *Sparks's Washington, [Vol. II, p. 74.]*

Washington, in this policy, shrewdly anticipates that subsequently adopted by all parties in this country. He will ap-

point none but partisans of his administration. To appoint his opponents to office would be "political suicide." And as between two partisans or friends of equal ability he will appoint him against whom the least clamor can be excited, that is, the one most popular or strongest with the people.

Will our civil-service reform noodles, will Geo. Wm. Curtis, turn their shafts against the "Father of his Country?"

## PART II.

### John Adams's and Jefferson's Administrations.

**Adams Adopted Washington's Policy Respecting Appointments—Alien and Sedition Laws—Presidential Campaign of 1800—No Election by the Electoral Colleges—Jefferson Elected by the House of Representatives in 1801—James A. Bayard's Influence Upon the Election.**

The elder Adams, who succeeded Washington in the Presidential chair, adopted Washington's policy in reference to appointments and removals. Under him the enactment of the unpopular "Alien and Sedition Law" and its somewhat rigid enforcement by the United States courts, being pretty generally regarded as an unconstitutional and dangerous stretch of Federal power, greatly intensified the hostility and bitterness of parties, and in consequence, at the next presidential election in 1800, Adams was defeated. Jefferson and Burr, both Republicans, had, in 1801, the same vote (73) in the electoral colleges, and the choice of a President consequently devolved upon the House of Representatives. The contest between the two was an excited one. The fortunes of the candidates were practically in the hands of a Federalist, Hon. James A. Bayard, of Delaware, the grandfather of the present Democratic U. S. Senator of that name, and a patriotic man of high character and great abilities. He had little respect for either Jefferson or Burr. He regarded the principles and character of both as hostile to the best interests of the nation. But a President had to be elected or civil war and ruin of the government would in all probability follow. Hence, choosing, as he states, "between two evils," he acquiesced in the election of Jefferson as the "least evil."

**The Guillotine under Jefferson—Bayard's Exposure of Incidents attending Jefferson's Election—Jefferson Rewards his Friends—His Punishment of His Enemies—"No Innocence, no Merit, no Truth, no Services, could**

**Save the Unhappy Secretary who "Disbelieved" in Jefferson's Creed—Jefferson the Founder of the so-called "Spoils System."**

Jefferson early began the work of decapitating such of his opponents as he found in office—the "anglomaniasts," as he styled them. The guillotine worked briskly and vengefully.

In the celebrated debate in the House of Representatives, in February, 1802, upon the Jeffersonian proposition to abolish or "reform" the United States courts, that is, to abolish or remove what Jefferson denounced as "John Adams' midnight judges," certainly the most extraordinary, radical and revolutionary proposition in the matter of removals ever made under our Government, Mr. Bayard, in reply to Mr. Giles, of Virginia, the leader of the Republicans of the House, thus describes some of the characteristic incidents attending and following the election of Jefferson the year previous:

The case, sir, to which I refer carries me once more to the scene of the Presidential election. I should not have introduced it into this debate had it not been called up by the honorable member from Virginia. In that scene I had my part; it was a part not barren of incident, and which has left an impression which cannot easily depart from my recollection. I know who were rendered important characters, either from the possession of personal means or from the accident of political situation. And now, sir, let me ask the honorable member what his reflections and belief will be when he observes that every man on whose vote the event of the election hung has since been distinguished by presidential favor. I fear, sir, I shall violate the decorum of parliamentary proceeding in the mentioning of names; but I hope the example which has been set me will be admitted as an excuse. Mr. Charles Pinckney, of South Carolina, was not a member of the House, but he was one of the most active, efficient, and successful promoters of the election of the present Chief Magistrate. It was well ascertained that the votes of South Carolina were to turn the equal balance of the scales. The zeal and industry of Mr. Pinckney had no bounds. The doubtful politics of South Carolina were decided, and her votes cast into the scale of Mr. Jefferson. Mr. Pinckney has since been appointed minister plenipotentiary to the court of Madrid; an appointment as high and honorable as any within the gift of the Executive. I will not deny that this preferment is the reward of talents and services, although, sir, I have never yet heard of the talents or services of Mr. Charles Pinckney. In the House of Representatives I know what was the value of the vote of Mr. Claiborne, of Tennessee. The vote of a State was in his hands. Mr. Claiborne has since been raised to the high dignity of governor of the Mississippi Territory. I know how great, and how greatly felt, was the importance of the vote of Mr. Linn, of New Jersey. The delegation of the State consists of five members. Two of the delegation were decidedly for Mr. Jefferson; two were decidedly for Mr. Burr. Mr. Linn was considered as inclining to one side, but still doubtful. Both parties looked up to him for the vote of New Jersey. He gave it to Mr. Jefferson, and Mr. Linn has since had the profitable office of supervisor of his district conferred upon him. Mr. Lyon, of Vermont, was in this instance, an important man. He neutralized the vote of Vermont. His absence alone would have given the

vote of a State to Mr. Burr. It was too much to give an office to Mr. Lyon; his character was low. But Mr. Lyon's son has been handsomely provided for in one of the executive offices. I shall add to the catalogue but the name of one more gentleman, Mr. Edward Livingston, of New York. I knew well, full well I knew, the consequence of this gentleman. His means were not limited to his own vote; nay, I always considered more than the vote of New York within his power. Mr. Livingston has been made the attorney for the district of New York; the road of preferment has been opened to him, and his brother has been raised to the distinguished place of minister plenipotentiary to the French Republic. — [*Annals of Congress, 11th Cong., 1st session, p. 640.*]

Said Mr. Bayard, "this catalogue might be swelled to a much greater magnitude."

And again, in the same debate, in reply to the invectives of Mr. Giles against the judges for what he regards as their tyrannical abuse of their powers, Mr. Bayard said:

If, however, Mr. Chairman, the eyes of the gentleman [Mr. Giles, of Virginia,] are delighted with victims—if objects of misery are grateful to his feelings—let me turn his view from the walks of the judges to the track of the present executive [Jefferson.] It is in this path we see the real victims of stern, uncharitable, unrelenting power. It is here, sir, we see the soldier who fought the battles of the Revolution—who spilt his blood and wasted his strength to establish the independence of his country—deprived of the reward of his services and left to pine in penury and wretchedness. It is along this path that you may see helpless children crying for bread, and gray hairs sinking in sorrow to the grave! It is here that no innocence, no merit, no truth, no services can save the unhappy secretary who does not believe in the creed of those in power.

I have been forced upon this subject, and before I leave it allow me to remark that without inquiring into the right of the President to make vacancies in office, during the recess of the Senate, but admitting the power to exist, yet that it never was given by the Constitution to enable the Chief Magistrate to punish the insults, to revenge the wrongs, or to indulge the antipathies of the man. If the discretion exists, I have no hesitation in saying that it is abused when exercised from any other motive than the public good. And when I see the will of a President precipitating from office men of probity, knowledge, and talents, against whom the community has no complaint, I consider it as a wanton and dangerous abuse. And when I see men who have been victims of this abuse of power, I view them as proper objects of national sympathy and commiseration. — [*Ibid, pp. 611, 612.*]

Here is really the origin of the so-called spoils system—the reward of partisan friends and the punishment of personal and partisan enemies. Mr. Jno. T. S. Sullivan, in his "*The Public Men of the Revolution*," says here "is the implied invitation given by Mr. Jefferson to all political adversaries to abandon their creeds and adopt his own; and the clearly implied promise of reward for apostasy. This was a well-known mode of strengthening party long before there were white Americans. Mr. Jefferson has the distinction of *having introduced it into our Republic*. He carried it to its full extent, officially and pri-



vately. In no nation, no, not even in Rome, in its most corrupt days, has this demoralizing seduction been more effective than in our own land since Mr. Jefferson became President."

### PART III.

## Removals and the Question of Patronage.

**Removals under Washington and John Adams and Jefferson—Washington and Adams make 21 changes—Jefferson 62.**

Washington made 10 removals; John Adams made 8, and refused to reappoint 3—making a total of 11 changes. But Jefferson removed 53 and refused to reappoint 4—a total of 62, which at that date, when the whole cost of the government was about \$3,000,000, embraced the largest proportion of the employees. In a word, Jefferson removed all distinctly or openly opposed to him and his party, retained in office only those supposed to be favorable to him, and appointed none opposed to him or his party.

**Madison makes 19 changes—Monroe 18 changes—John Q. Adams 13 changes—Making 132 changes in all since beginning of Government—in 40 years—of which Jefferson made 62.**

Madison, being of the same political school, found fewer political enemies in office. Nevertheless he removed 17 and refused to reappoint 2—19 in all. So with Monroe. Being also of the same political school, Monroe found even fewer partisan enemies in office; but he also removed 17 and declined to reappoint 1—18 in all. And John Q. Adams, who was elected, in 1825, by the House, being also a Republican, had a still more limited field for removals. Nevertheless, John Q. Adams dismissed 4 and refused to reappoint 8—in all 12, and making 132 changes in all since the beginning of the government under the Constitution, of which number Jefferson had removed 62, or nearly one-half.

**Monroe unanimously re-elected in 1820—The Federalists as a party disappear—All Candidates in Presidential Election of 1824 Republicans—No Election by Electoral Colleges—Jno. Q. Adams Elected by House—Foundation of Modern Parties—Adams assailed—Patronage under it denounced—Appointment of Select Committee to inquire into matter of Patronage—Thos. H. Benton at Head of Committee.**

At the Presidential election of 1820-21, Mr. Monroe received the whole vote of the electoral colleges, but one, which

was cast for Jno. Q. Adams. Here the Federalists as a party disappear from our political history. At the Presidential election of 1824-25, all the candidates were of the same political school: John Q. Adams, of Massachusetts, Andrew Jackson, of Tennessee, Wm. H. Crawford, of Georgia, and Henry Clay, of Kentucky—all were Republicans. There was no election by the colleges, and again the choice of a President devolved upon the House of Representatives. John Q. Adams was chosen. Jackson had the largest popular vote, and his partisans, exaggerating that fact into an expression of the people in favor of the General as President, were greatly disappointed and exasperated at the success of Adams.

Such a contest was naturally followed by intense and irreconcilable hostilities. Adams's administration was fiercely assailed. By John Randolph, of Roanoke, it was described as a "union of the Puritan and Blackleg—of Bliff and Black George," and generally by the partisans of Jackson, among many other sins, because of an increase of Government patronage. At the first session of the Nineteenth Congress, in the United States Senate, a select committee, with Hon. Thomas Hart Benton, of Missouri, at its head, was appointed to inquire into the expediency of reducing this patronage.

**Mr. Benton had been a partisan of Mr. Clay's and bitterly hostile to Jackson—His warnings as to the result of Jackson's election—Had not as yet openly declared for Jackson—His Report on Patronage.**

Mr. Benton had been a partisan of Mr. Clay's, and bitterly hostile to General Jackson. He had even declared that if the General was elected President, the representatives of the people and States in Congress would have to legislate with pistols in their hands, and had not as yet openly proclaimed his adhesion to Jackson.

His report on Government patronage is dated May 4, 1826. After examining and showing the large increase in the patronage since the beginning of the government, Mr. Benton urges:

Everywhere, to the extreme frontier of the remotest State or Territory, Federal patronage will be found in degree and force proportionate to the population of the place, and forever augmenting with the increasing power of the Government.

\* \* \* \* \*

The whole of this great power will centre in the President. The King of England is the "fountain of honor;" the President of the United States the source of patronage. He presides over the entire system of Federal appointments, jobs, and contracts. He has "power" over the "support" of the individuals who administer the system. He makes and un-makes them. He chooses from the circle of his friends and supporters, and may dismiss them, and upon all the principles of human action,

will dismiss them, as often as they disappoint his expectations. His spirit will animate their actions in all the elections to *State* and *Federal* offices. There may be exceptions, but the truth of a general rule is proved by the exception. The intended check and control of the Senate, without new constitutional or statutory provisions, will cease to operate. Patronage will penetrate this body, subdue its capacity of resistance, chain it to the car of power, and enable the President to rule as easily, and much more securely, with than without the normal check of the Senate.

But Mr. Benton concludes with this practical piece of wisdom :

But things must be taken as they are. Statesmen must act for the country they live in and not for the island of Utopia. They must act upon the state of facts in that country and not upon the visions of fancy.

## PART IV.

### Retrenchment and Reform and Reduction and Purification of the Patronage.

**The Slogan of Jackson's Partisans—Clay denounced for corruption of the Press through the Government Patronage—Jackson's Letter to President Monroe, in 1816—Advises a Political Millennium through the Patronage—Sam Houston's interpretation of that Letter—The Tree should be judged by its Fruits.**

In the House, as in the Senate, the cries of "*Retrenchment and Reform*," "*Reduction of Government patronage*," were enthusiastically raised. They soon became the slogan of Jackson's partisans. The Chilton-Hamilton resolutions in 1828 providing for the appointment of a committee to inquire into the condition of the departments under Adams were adopted. Mr. Hamilton was appointed its chairman. In his report he fails to produce a single fact in evidence of corruption in the administration through the Government patronage or through any other agency or means. But the partisans of the "*Hero of New Orleans*" even increased their charges of corruption against Adams and Clay. Henry Clay, as Secretary of State, took the publication of the laws from some half dozen Jackson editors because of their constant and unexampled course of unjustifiable and slanderous abuse of him and his department. The Jacksonites were "terribly scandalized." They denounced the act as one of unparalleled proscription—as "an enormity," "an assault upon the freedom of the press," and "an outrage upon the liberties of the people." And throughout the Presidential campaign of 1828, these virtuous reformers shouted their slogan of "re-

trenchment and reform,"—"reduction and purification of the Government patronage." In those days, as now, all the partisans of Jackson, these embryo Democratic Republicans, were reformers: all were Pendletons and Randalles and S. S. Coxes. November 12, 1816, upon the occasion of Mr. Monroe's first election, General Jackson addressed him a letter in which the General urges him to proclaim the advent of a party millennium. The General thus phrases it:

In every situation party and party feelings should be avoided. Now is the time to exterminate that monster called party spirit. By selecting characters most conspicuous for their probity, virtue, capacity, and firmness, without any regard to party, you will go far to eradicate those feelings which on former occasions have thrown so many obstacles in the way of government, and perhaps have the pleasure of uniting a people heretofore politically divided. The chief magistrate of a great and powerful nation should never indulge in party feeling. His conduct should be liberal and disinterested, always bearing in mind that he acts for the whole, not for a part of the community. By this course you will exalt the national character and acquire for yourselves a name as imperishable as monumental marble. \* \* \* These are the sentiments of a friend. They are the feelings, if I know my own heart, of an undissembled patriot.

This letter, in 1824, when Jackson was a candidate before the people for the Presidency was produced and printed with great parade. Later, in 1827, in the House of Representatives, Hon. Sam Houston, at the time a Member from Tennessee, thus interpreted it for the benefit of the faithful:

Let patriotism, talents, and integrity be the passport to office. The President ought not to be the head of a party, but the President of a nation; and it is just that the tree should be judged by its fruits.

**How Pledges of Retrenchment and Reform were Fulfilled—Tree Judged by Its Fruits—Jackson's Speech at Inauguration Announces the Guillotine—Jackson Makes 1,500 Removals the first year—Five of his Cabinet from Members of Congress—Gives Public Printing to Partisan Editors and Appointed Large Numbers of that Class to Lucrative Positions—The Workings of the Guillotine—Webster Denounces the Work—"When Did English Ministers Go Down to Low-Water Mark to Make an Ousting of Tide Waiters?"**

How were these pledges of "Retrenchment and reform," these pledges of "reduction and purification of the government patronage," so solemnly uttered in every possible form in and out of Congress by Jackson and his partisans—how were they fulfilled? Let us "judge the tree by its fruits."

In his address at his inauguration General Jackson declares:



The recent demonstration of public sentiment inscribes on the list of executive duties, in characters too legible to be overlooked, the task of reform, which will require particularly the correction of those abuses that have brought the patronage of the Federal Government into conflict with the freedom of elections, and the counteraction of those causes which have disturbed the rightful course of appointment, and have placed or continued power in unfaithful or incompetent hands.

In this we have the announcement of the guillotine. Its work began almost instantly and most vengeance. Under all previous administrations from Washington's to John Q. Adams's, extending through a period of 40 years, only 132 removals or changes had been made by all his predecessors, but within one year from his inauguration Jackson dismissed not less than 1,500 officers of all kinds. He selected, too, to begin with, that very class of officers the removal or appointment of which he and his partisans had so denounced.

Under Adams the appointment of members of Congress to positions under the Executive was sternly reprobated as wrong in principle and tending to the corruption of the legislature. Jackson, too, was solemnly pledged to the exclusion of members from the executive patronage, but his first act as President was to appoint five of the six members of his Cabinet from the two houses and appointed the Speaker of the House as Minister to England. He thus appointed at different times twenty-three members in all, from cabinet ministers down to appraisers of the customs. So, under Adams, the removal by the Secretary of State of six publishers of the laws was "an infringement of the freedom of the press, and dangerous to the liberties of the people." But within the first year of his administration Jackson removed all the publishers of the laws—every one of them—and distributed this public printing among his own partisan press.

Nor only that. Jackson and his partisans had inveighed heavily against the appointment of partisan editors to government positions, as it tended to corrupt the press, and pledged reform in the matter. His reform consisted in appointing large numbers of that class, the ablest and most unscrupulous of his partisan editors, to lucrative positions. Not less than fifty-five of these men were thus rewarded during the first two years of his administration. Of these one was appointed an auditor; one a comptroller; nine clerks in the departments; one librarian to Congress; one a district attorney; one register of a land office; one a surveyor of the public lands; one a receiver of public moneys; one secretary of a Territory; one a marshal; one a purser in the navy; two indian agents; three naval officers; nine custom-house officers, and twenty-two postmasters. In most cases those ap-

pointed to local offices continued to edit their papers, and their zeal in defending the administration from the assaults of the enemy bore an exquisite and harmonious proportion to the amount of salary attached to the offices they held.

Jackson, also, during this first year of his administration dismissed fifty collectors of customs, five naval officers, fifteen district-attorneys, thirteen marshals, twelve registers of land offices, and fourteen receivers of the public moneys. Between the 4th of March, 1829, and the 7th of April, 1830, he dismissed thirty weighers, gaugers, and measurers. (*Vide Senate Doc. No. 120, 1st session, 21st Congress.*) Between the 4th of March, 1829, and the 22d of March 1830, he removed four hundred and ninety-one postmasters, besides numerous officers in the departments, and in the diplomatic, consular, and other branches of the public service. In short, it is on record that he dismissed, during the first year of his administration, not less than fifteen hundred officers. If one of these was dismissed for any cause, other than that they entertained political views not in harmony with those of Jackson's history is silent on the subject.

And so on to the close of his administration, embracing all classes of employees, from the highest down to the meanest laborer. Daniel Webster, in reviewing these facts, exclaimed:

There is no civilized country on earth in which, on a change of rulers, *there is such an inquisition for spoils* as we have witnessed in this free Republic. Whenever did any English Minister, Whig or Tory, *go down to low water mark* to make an ousting of tide waiters? When did he disturb the post offices, the mail contracts, and anything else in the remotest degree connected with the Government?

## PART V.

**Executive Patronage "had increased, was increasing and should be diminished"—Reform was necessary—Jackson pledged to cleanse "the Augean Stables"—His popularity in consequence—Number of Officers doubled under Jackson—Consequent increase of Expenditures, &c.**

A resolution of the House declared that the "executive patronage had increased, was increasing, and should be

diminished." "Reform was necessary." In the early days of the canvass a grave and classical Senator declared that the "Augean stables" required cleaning out. The backwoods orators, thinking that the said stables were in some way intimately connected with the White House establishment, took up the cry, and it soon became understood among Democrats everywhere, that one of the first jobs which General Jackson would undertake on reaching the White House, would be to "clean out them Augean stables." The idea that he would do the job with his own hands gave him increased popularity with the Democratic masses, and probably contributed more votes to his cause than was drawn from the ranks of those who understood the promise in its figurative sense.

Jackson, himself, encouraged the idea that he would get along without much help and in his first inaugural address, he said:

I shall depend for the advancement of the public service more on the integrity and zeal of the public officers than on their numbers.

He was, however, no sooner seated in the Presidential chair, than it became evident to him that he should require much help, in point of "numbers" as well as "zeal." For evidence of this fact, it is only necessary to examine the blue books of his administration and compare them with those of his predecessor. It will then be seen that page after page was added to Jackson's blue book until it more than doubled the size of that of Adams' long before the close of this "reform" administration. A single illustration will suffice, taken from the history of the New York Custom House.

At the close of Mr. Adams's administration there were one hundred and seventy-five employees in that establishment.

In the ten following years the employees of the New York Custom House, were as follows:

1829 .....	212
1831 .....	268
1833 .....	324
1835 .....	328
1837 .....	415
1839 .....	490

Being an increase of force required to "clean out the Augean stables" of about three hundred per cent. It may be here remarked, incidentally, that the average amount of revenue collected at New York during the ten years of Democratic reform was just about the same as it was under the administration of Mr. Adams, to wit: \$13,000,000.

How the pledges of "retrenchment and reform" were carried out, will ap-

pear from a comparison of the cost of collecting this revenue during the administration of Adams with the ten subsequent years of the "era of reform."

At the close of Mr. Adams' administration, the expense of collecting the revenue at New York was only \$194,687.76. For the ten succeeding years they are written down in Rep. 669, p. 170, 2d session, 27th Congress, as follows:

1829 .....	\$212,531 57
1830 .....	295,006 06
1831 .....	376,920 34
1832 .....	408,791 28
1833 .....	429,501 29
1834 .....	365,590 50
1835 .....	385,121 75
1836 .....	450,984 31
1837 .....	468,045 96
1838 .....	506,018 10
1839 .....	594,269 64

Being an increase of three hundred per cent.

This is but an instance of the "reform" under Jackson. It was the same throughout the country. Public expenditures were everywhere frightfully augmented; numberless frauds and defalcations ensued; the Treasury was plundered of millions; the departments were thrown into the utmost confusion and disorder; and the General Post Office was bankrupted, so that at the called session of the 27th Congress, it became necessary to appropriate the sum of \$497,657, "to enable the department to meet its engagements and pay its debts."

## PART VI.

### Specimens of the Appointment Literature of the Time.

**Swartwout to "My dear Jessica" Hoyt**  
 —"No d—d Rascal who made use of his Office or its Profits for the Purpose of Keeping Mr. Adams in and General Jackson out of Power is entitled to the least Lenity or Mercy, save that of Hanging"—Think of "My Nephew" "after remembering Your Relatives"  
 —Assistant editors "to ward off malignant shafts" aimed in consequence of the contemplated "General Sweep," &c.

A few specimens of the applications for place, and of the letters accompanying them, under Jackson, will illustrate as well the character of the applicants as the wild and unscrupulous scramble for office among these Democratic reformers. Samuel Swartwout was the



successful applicant for the collectorship of the port of New York, the most responsible office under the gift of the President. Swartwout a few years previous had been one of Burr's lieutenants in his traitorous plot for the conquest of Louisiana and portions of Mexico, and was tried with Burr at Richmond for treason. While at Washington in March, 1829, in pursuit of spoils, Swartwout wrote to his friend Jesse Hoyt at New York, the following characteristic letter:

WASHINGTON, March 14, 1829.

MY DEAR JESSICA [HOYT]: Your very beautiful and entire interesting letter of the 8th was received in due course of law. I hold to your doctrine fully, that no d—d rascal who made use of his office or its profits for the purpose of keeping Mr. Adams in and General Jackson out of power is entitled to the least lenity or mercy, save that of hanging. So we think both alike on that head.

Whether or not I shall get anything in the general scramble for plunder remains to be proven; but I rather guess I shall. What it shall be is not yet so certain; perhaps keeper of the Bergen lighthouse.

SAM. SWARTWOUT.

In this we have the very genius of Democratic reform.

Here is another document, valuable, alike for its historical and literary interest:

NEW YORK, April 29, 1829.

TO S. SWARTWOUT, ESQ.: We, the undersigned subscribers, doo recommend Abraham Mersevole as a very suitable person for one of the custom-house inspectors, and would gladly see him appointed, knowing him too always having been a warm supporter of General Jackson.

JEROMUS JOHNSON,  
JEREMIAH DODGE,  
M. M. NOAH,  
H. ECKFORD,  
WILLIAM S. COE.

On the same page and sheet of paper is the following:

DEAR SIR: When you have leisure, and take up the numerous applications for offices in the custom-house department, I make this memorandum for fear it may escape your memory, that Mr. Abraham Mersevole is a nephew of mine. His brother Bernard, the alderman of the 10th ward, was a candidate for the office I fill, supported by a strong petition of Jackson's friends — would take it as a particular favor, if there is a vacancy after remembering your relatives, if you would give him a commission.

Yours truly,

JEROMUS JOHNSON,

And here is another specimen of much excellence and interest. It was addressed to Collector Swartwout by Col. John Decatur, recommending Mr. John Blunt for a position in the custom-house, to wit:

PORTSMOUTH, May 4, 1829.

DEAR SIR: This will be handed to you by my particular friend, Mr. John Blunt. \* \* \* For the last four years he has actively and openly advocated the claims of our present

worthy chief magistrate. \* \* \* Should it be necessary to have an assistant editor, to aid Mr. Noah in warding off the malignant shafts of the coalition party, which will be made on you, in consequence of the general sweep which I presume you intend to make in your office, I know of no more suitable man than this said Cod of mine, and I therefore request that you will add one more obligation I am already under by giving him an appointment in the custom-house.

Yours, with esteem and affection,  
DECATUR.

## PART VII.

### "To the Victor belong the Spoils."

Senator Holmes' (of Me.) Resolution denouncing Removals as Unconstitutional—Martin Van Buren nominated as Minister to England—Henry Clay leads Opposition to his Confirmation—Mr. Clay denounces Van Buren as the author of Spoils System under Jackson—Government would soon "become intolerable and finally end in Despotism as Inexorable as that at Constantinople"—Governor Marcy, of New York, in reply, boldly declares that "to the Victor belong the Spoils of the Enemy."

Of course the wildest clamors attended this vengeful working of the guillotine, and the country was stirred from its centre to its circumference. It assailed the two Houses of Congress. In the Senate, in 1830, Mr. Holmes, of Maine, offered the following resolution:

*Resolved*, That the President of the United States, by the removal of officers (which removal was not required for the faithful execution of the law) and filling the vacancies thus created in the recess of the Senate, acts against the interests of the people, the rights of the States, and the spirit of the Constitution.

This resolution embodied the judgment of those opposed to Jackson's reform methods. A little later, in January, 1832, these anti-Reformers made their judgment felt. Martin Van Buren was nominated as Minister to England. Henry Clay was now in the Senate, and in executive session, he excited and led the opposition to Mr. Van Buren's confirmation. Among other reasons which Mr. Clay assigned for his hostility to Mr. Van Buren's appointment were the following:

I have another objection to this nomination. I believe, upon circumstances which satisfy my mind, that to this gentleman is principally to be ascribed the introduction of the odious system of proscription for the exercise of the elective franchise in the Government of the United States. I understand that it is the system on which the party in his own State, of which he is the reputed head, constantly acts. He was among the first of the secretaries to apply that

system to the dismissal of clerks in his department, known to me to be highly meritorious, and among them one who is now a Representative in the other House. It is a detestable system, drawn from the worst periods of the Roman republic; and if it were to be perpetuated, if the offices, honors, and dignities of the people were to be put up to a scramble, to be decided by the result of every Presidential election, our Government and institutions, becoming intolerable, would finally end in a despotism as inexorable as that at Constantinople. [*Register of Debates*, 22d Cong., 1st sess., 1831-'32, p. 1324.]

To which the Hon. Wm. L. Marcy, a Senator from New York, responded:

It may be, sir, that the politicians of the United States are not so fastidious as some gentlemen are as to disclosing the principles on which they act. *They boldly preach what they practice.* When they are contending for victory, they avow their intention of enjoying the fruits of it. If they are defeated, they expect to retire from office. If they are successful, they claim, as a matter of right, the advantages of success. They see nothing wrong in the rule that *to the victor belongs the spoils of the enemy.*—[*Ibid.*, p. 1325.]

"To the victor belongs the spoils of the enemy!" This formulated into a maxim the principle and whole purpose of Democratic reform. It was at once adopted by the Democracy, and has since become the typical principle of the party and its policy.

**Senator Thomas Ewing's Resolution of 1832 Denouncing Removals for Opinion's Sake as Hostile to the Spirit of the Constitution and Prejudicial to the Public Service—Declares it Inexpedient for the Senate to Advise and Consent to Removals Without Sufficient Cause.**

At the same session, Hon. Thomas Ewing, a Senator from Ohio, offered the following resolution:

*Resolved*, That the practice of removing public officers by the President for any other purpose than that for securing a faithful execution of the law, is hostile to the spirit of the Constitution; was never contemplated by its framers; is an extension of Executive influence; is prejudicial to the public service, and dangerous to the liberties of the people.

*Resolved*, That it is inexpedient for the Senate to advise and consent to the appointment of any person to fill a supposed vacancy in any office occasioned by the removal of a prior incumbent, unless such prior incumbent shall appear to have been removed for sufficient cause.

**Henry Clay's Resolution of 1834 Denouncing Removals by the President Alone as Unconstitutional.**

And in March, 1834, in the Senate, Hon. Henry Clay offered the following:

*Resolved*, That the Constitution of the United States does not vest in the President the power to remove at his pleasure, officers under the Government of the United States whose offices have been established by law.

## PART VIII.

**Van Buren's Administration simply an addendum of Jackson's in the matter of Removals and Appointments—Nevertheless Van Buren removed 360 Postmasters, etc.—He appointed none but Partisans or Democratic Reformers to Office.**

Mr. Van Buren's administration, so far as it related to the subject of political proscription, was a mere addendum, or appendix, to that of Jackson. The latter had left little to be done in the way of removals for opinion's sake. But Mr. Van Buren proceeded to do that little with the greatest promptitude and alacrity. From Senate Document No. 292, 3d session, 25th Congress, it appears that between the 4th of March, 1837 to the 27th of February, 1839, Van Buren removed three hundred and sixty postmasters, and a corresponding number of officers were dismissed from other branches of the public service. He appointed none but partisans, none but Democratic reformers, to official position in the Government.

## PART IX.

**The Guillotine under the Whigs.**

**Harrison's inauguration on March, 4, 1841—"A change comes over the spirit of the dream" of the Whig leaders respecting Removals—Experience the impracticability of operating a Whig administration through Democratic Agents—Coerced to resort to the Guillotine—Their old Resolutions and Speeches quoted against them—The Democratic Reformers in their old rule of Indignants at Party Proscription.**

In the Presidential campaign of 1840, Martin Van Buren was retired from the Presidency. Gen'l Wm. H. Harrison, of Ohio, was elected President and John Tyler, of Virginia, Vice President. Now, a change came over the spirit of the dream of the Whig leaders respecting removals and appointments. Henry Clay was in the Senate. Three of their leaders most pronounced against party proscription, so called—against removals from office for partisan opinions—



were summoned into the Cabinet. Daniel Webster as Secretary of State, Thomas Ewing as Secretary of the Treasury, and John Bell, of Tennessee, as Secretary of War; and their acts are singular commentaries upon their previously expressed opinions or dogmas respecting appointments and removals. They soon realized the fact that to operate a Whig administration through Democratic agents or agencies was practically impossible, even if they were at liberty to try the experiment. But the pressure of administration necessities, added to the demands of the party, coerced them into the course they had so often and so eloquently denounced as unconstitutional and corrupt. The guillotine now again began its vengeful work. Hundreds were dismissed from office, and denunciation and clamor spread through the country. The Democratic reformers now again assumed the role of indignant at party proscription, and the Whig leaders and organs had their resolutions and speeches and editorials quoted against them. They met the crisis boldly—even with resignation. Their courage at times rose almost to the heroic, and they evaded the shafts pointed by their own genius with adroitness and skill.

**Buchanan's resolution of June, 1841—The President requested to communicate to Senate all Removals from office which had been made by himself and his Secretaries and Subordinates.**

In the Senate, on June 17, Hon. James Buchanan offered the following resolution:

*Resolved*, That the President of the United States be requested to cause to be communicated to the Senate a list of all removals from office or public employment of any kind whatsoever which have been made by himself, or by the Secretaries of State, of the Treasury, of War, of the Navy, respectively, or by the Postmaster-General or Attorney-General, or under the authority of either, since the 4th day of March last, stating therein particularly the names of the persons removed, and the names of those appointed; and that he be further requested to cause to be communicated to the Senate a list of all the removals from office or public employment of any kind whatsoever which have been made since the 4th day of March last by the different collectors of customs or other officers, whose removals and appointments are submitted to the Secretary of the Treasury for confirmation, stating therein particularly the names of the persons removed, and the names of those appointed; and that he be further requested to cause to be communicated to the Senate a list of all the removals from office or public employment of any kind whatsoever made by the deputy postmasters throughout the United States, whose compensation amounts to \$2,000 and upwards, per annum, stating therein particularly the names of the persons removed and the names of those appointed.

**Debate in Senate upon Buchanan's Resolution — Buchanan Quotes Henry**

**Clay's Denial of Power in President to make Removals — Clay Rises to Explain—He Maintains that under the Constitution the Right does Not Exist, but that in Law it Does Exist—Clay tells Buchanan: "We Cannot, Indeed, Sir, Consent to Allow Your Friends to Remain in Our Confidence" — Clay Hates the Principle, but Loves the Practice.**

In the course of Mr. Buchanan's speech in the Senate, in support of his resolution, the following passage of arms took place:

Mr. BUCHANAN. Never had the leaders of any party been more solemnly committed on any doctrine than those of the Whig party were in their hostility to proscription. From the Senator from Kentucky [Mr. Clay] down, they had all spoken the same language. That Senator had repeatedly on this floor denied the existence of the power of removal by the President under the Constitution. How eloquently had he declaimed against the maxim that, "to the victors belong the spoils."

Mr. CLAY. Will the Senator from Pennsylvania allow me a word in explanation? I have said that power does not belong to the President, though it has grown into use. It has been a subject of legislation, and as such it is not questioned.

Mr. BUCHANAN. The Senator from Kentucky, then, declares that under the Constitution the right does not exist, but that in law it does; and that now, being in office, he would justify his administration for its proscription, not by Constitutional but by legislative authority. Had he not, over and over again, denounced the late administration on the ground of proscription?

Mr. CLAY. I did, sir; but our practice now grows out of the necessity of our case. *We cannot, indeed, sir, consent to allow your friends to remain in our confidence.*

Mr. BUCHANAN. *The Senator, then, acknowledges that whilst he hates the principle, he loves the practice.*

**Webster's Manifesto of March 20, 1841—It Forbids Partisan Interference in Elections, and all Assessments or Contributions to Political Purposes, &c.—It Deceives No One—Its Purpose Readily Penetrated and Denounced by Democratic Senators in Debate in Senate—Even Likened to Alien and Sedition Laws.**

DEPARTMENT OF STATE,  
March 20, 1841.

To Hon. THOMAS EWING,  
*Secretary of the Treasury:*

SIR: The President is of the opinion that it is a great abuse to bring the patronage of the general government into conflict with the freedom of elections, and that this abuse ought to be corrected wherever it may have been permitted to exist, and to be prevented for the future.

He therefore directs that information be given to all officers and agents in your Department of the public service that partisan interference in popular elections, whether of State officers, or officers of this Government, and for whomsoever or against whomsoever it may be exercised, or the payment of any contribution or assessment on salaries or official compensation for party or election purposes, will be regarded by him as cause of removal.

It is not intended that any officer shall be restrained in the free and proper expression and maintenance of his opinions respecting public

men or public measures, or in the exercise, to the fullest degree, of the constitutional right of suffrage. But persons employed under the Government, and paid for their services out of the public Treasury, are not expected to take an active or officious part in attempts to influence the minds or votes of others, such conduct being deemed inconsistent with the spirit of the Constitution, and the duties of public agents acting under it; and the President is resolved, so far as depends upon him, that while the exercise of the elective franchise by the people shall be free from undue influences of official station and authority, opinions shall also be free among the officers and agents of the Government.

Similar letters have been addressed to other heads of departments.

I have the honor to be, sir, your obedient servant,

DANIEL WEBSTER.

Payment of contributions or assessments for party purposes? Payments to whom? To the Whigs or Democrats? And at what election? Was any pending? The manifesto is dated March 20, 1841. Harrison was inaugurated March 4, 1841, and the administration was consequently not three weeks old. Had any election occurred during that time? Had any Whig committee or organization during that time assessed or attempted to assess government employees? Had any Whig or administration employee contributed to any election fund? Were there any Whig or administration men in office? For whom, then, if not for Whigs, was this manifesto intended? Is it not plain? It was made retroactive, too, to reach the people Webster was gunning for, the Democratic employees, who, at the previous Presidential election, had been assessed by the Democracy and had paid the assessment for the Van Buren campaign fund. The manifesto had been adopted in cabinet meeting and its publication was but a prelude to the guillotine. It deceived no one. Its purpose was readily penetrated.

In the Senate, in the debate upon Mr. Buchanan's resolutions, Senator McRoberts, of Illinois, seized upon, exposed, and denounced it as equal in its tyrannical purpose to the Alien and Sedition law. He notices its retroactive intent. He said:

And to crown all it is declared in the order [Webster's manifesto] that it shall have a *retroactive* operation. That its penalties shall be inflicted for any violations *that may have been permitted to exist*.

Mr. McRoberts declared the Alien and Sedition law, infamous as he regarded it, as less tyrannical and even more humane than this "Webster edict." He argues:

Let us compare the mode of executing this edict with the mode of carrying out the sedition law, odious, oppressive, and unconstitutional as that law is *admitted* to be. The sedition act of 1798 required an indictment; the accused had a right to a copy of the charge; he had a right to introduce witnesses in his defence; the trial

was public, and the law applied only to violations *subsequent* to its passage.

How is it under this edict from the State Department? Why, sir, the accused is denied all knowledge of the complaint; he is not allowed a copy of the charge; he is not permitted to cross-examine the witnesses; the secrecy of the proceeding protects them from responsibility; and the edict declares upon its face that persons shall be proscribed under it for what they may have done before it was issued.

These are the striking differences in executing the gag law of 1798 and the gag order of 1841.

Sir, we have all read of the odious laws of Draco and Dionysius, and odious as they were, they were not retroactive. The Federal party of '98 oppressed the country in every conceivable way, but it is reserved to the Whig leaders of 1841 to add retroactive penal edicts to the catalogue.

Senator Bayard and George William Curtis, our Democratic and Civil-Service reformers, in quoting this manifesto in support of their views, for the sake of Webster's great name, purposely conceal its origin, history, meaning, and purpose. Their work is a piece of characteristic mountebankism.

**Senator Franklin Pierce, afterwards, in 1853, President of the United States, Quotes, Against President of the Senate Southard, Senator Southard, in 1835, Denouncing Removals as Despotism and Tyrannical—"Can the Russians Go Further?—Can the Turks?"—Questions the Answers to which Mr. Pierce Leaves to Southard's Friends in Power.**

Hon. Franklin Pierce, of New Hampshire, afterwards President of the United States, in the debate on Mr. Buchanan's resolution, also expressed his reprobation of political proscription. In addressing the President of the Senate, Mr. Southard, of New Jersey, (a Whig,) he said:

In the winter of 1834, in this chamber, you spoke as follows: "Mr. President: If there does now exist in this country a power which can, by its single volition and word, relieve officers acting under the Constitution and law from their responsibility, and this with regard to the Treasury itself, we have already an absolute unnumbered despotism, beyond which no other can advance. What is despotism, but the existence, in the hands of a single individual, of the power and right to say to all subordinate agents, 'you are to act on my responsibility and opinion?' Can the Russians go further? Can the Turks?"

"Questions," exclaimed Mr. Pierce, "for the answer to which I will refer to your Executive friends, who are filling your table from day to day with 'I nominate — in the place of — removed.'"

**Frank Pierce also Quotes Against President Tyler in 1841 Senator Tyler in 1834—Tyler's Reprobation of the "Spoils System"—Its Fatal Consequences—"True, a President Cannot Evict the Judge, but, by His Power**



### Over the Marshal, he can Pack the Jury."

President Harrison was now dead, and his successor, President John Tyler, being the wicked one who was thus filling Mr. Southard's table with proscriptive missives, Mr. Pierce quoted from a speech delivered by Mr. Tyler, in 1834, in the Senate, as follows:

I mean only so far to express an opinion upon it (executive removals) as to say, that if properly exerted to get rid of incompetent or unfaithful agents, it is beneficial in its results. But if used merely to reward favorites and to punish opponents—if the offices of the government shall be considered as spoils, to be distributed among a victorious party—then, indeed, sir, the consequences are most fatal; all stability in government is at an end. \* \* \* Nor would there be a secure refuge in the courts of justice. True, he (the President) cannot evict the judge, but by his power over the marshal, he could pack the jury.

**Frank Pierce also Quotes Letter from E. Curtis, (a Progenitor of Geo. Wm. ?) Collector of New York, who Proscribes a Mere Lad—The Democracy Never Invaded the "Nursery"—It "Proscribed the Men, but Never Disturbed the Infants"—It Worked Under No False Pretenses—It Preferred its Friends—It Had the Power and Chose to Exercise It—"What are you going to do about it?"**

In the course of his speech, Mr. Pierce read a letter from E. Curtis, (an ancestor of Geo. Wm. Curtis?) collector of the port of New York, addressed to his chief clerk, to wit:

MY DEAR SIR: I should be glad if you would employ the lad Charles Hunter in the place of Jefferson Young.

I have reason to believe that the political principles of the lad are all right, and his appointment would give satisfaction to the district, the ward, and the city in which he lives.

Very respectfully yours,

E. CURTIS.

June 3d, 1841.

This lad, whose "political principles" were "all right," was thirteen years old. After reading this letter, Mr. Pierce exclaimed:

Now, Mr. President, "spoils party," as we were denounced to be from one end of this continent to the other, I ask you, in all candor, did we ever invade the nursery? \* \* \* Falsehood, with all its tongues, never charged it; detraction, on this point, never assailed us. We removed the men, but we did not disturb the infants. \* \* \*

Democratic administrations have turned out some—many, if you please—political opponents to give place to political friends; and on the single ground that they had the right and power to prefer their friends to their opponents. \* \* \* But whatever was done by the late administrations was not done under false pretenses. We put forth no canting, hypocritical circulars, [no Webster manifestoes.] We stood before the nation and the world on the naked, unqualified ground that we preferred our friends to our opponents; that to confer place was our privilege, which we chose to exercise.

**Secretary Ewing radically changes his Judgment in reference to Removals—The Treasury an "Augean Stable" which he thoroughly cleanses—Is accused of being the Genius of the Guillotine—He and his compeers able men, but find it practically impossible to administer a Big Machine like the U. S. Government through Agents hostile to its Chiefs, either personally or in Principle.**

Secretary of the Treasury Ewing, who, as Senator, during Jackson's reign, was the mover of a resolution in the Senate, denouncing removals as "hostile to the spirit of the Constitution," as "prejudicial to the public service," and "dangerous to the liberties of the people," radically changed his views in such matters when installed in the Treasury. He evidently regarded the Treasury as an "Augean Stable," the thorough cleansing of which was an imperative and patriotic duty. He performed the work with great energy, intelligence, and impartiality. So thoroughly, indeed, that he was accused by the Democratic reformers of having a genius for proscription, and the Portsmouth, (N. H.) *Gazette*, in an article in May, 1841, and headed "Infamous" declares that:

Thomas Ewing, thirsting for the life-blood of his victims, actually removed Mr. Marston, the excellent keeper of the Newcastle lighthouse, on the very day that President Harrison lay a corpse.

If any lucky Democratic reformer, any Pendleton or S. S. Cox, or even a George Wm. Curtis, in the Treasury, escaped him, it was purely accidental. Arbitrary removals of government employees, for opinion's sake, were now, in his judgment, not "hostile to, but consonant with the spirit of the Constitution," were not "prejudicial to," but promotive of "the public service," and "not dangerous" but conservative "of the liberties of the people." Ewing agreed with Jackson, "we are never too old to learn," and the rough experience of actual contact with the administrative responsibilities and duties of a big machine like the Treasury was full of practical wisdom. Mr. Ewing was an able man. He was one of the ablest men of his day, but neither he, nor his compeers, and all were able men, could invent a system by which the Treasury or a great Government like that of the United States, could be administered successfully or beneficially through agents hostile to its chief, either personally or in principle. It is a practical impossibility.

**The Conservative National Intelligencer, the Organ of the Whigs and the Ancient Enemy of Removals for po-**

**litical reasons, Defends Proscription by the Whigs—Removals of Personal and Political Opponents based on Common Sense and ordinary Prudence—No Man in private Life, in possession of a landed Estate or a mercantile House, or in command of a Ship, would retain under him men in whom he had no confidence.**

Even that conservative sheet, *The National Intelligencer*, the organ of the Whigs, and which during Jackson's reign did such manly battle against "party proscription," was, in defense of the Whigs in 1841, forced to plead:

\* \* \* We are yet of the opinion that it is due to consistency, as well as to the known wishes of the popular majority which brought the present administration into power, that the reform of the abuses in the government should embrace persons as well as things; that the required change of measures should be accompanied with such a change of officers as will produce harmony of action in the different departments of the government. \* \* \* This, it appears to us, is no more than what common sense and ordinary prudence require of every man in private life in the management of his affairs. No man, for example, coming to the head of a landed estate, of a manufactory, of a mercantile house, or the command of a ship, would retain in authority under him an over-seer, a foreman, a cashier, or mate, (and so also of inferior employments) in whom he had no confidence.

## PART X.

### The Guillotine under President James K. Polk.

**Wholesale Removals of Whigs—No Whig need apply—None shall be appointed—Spirit of Democratic Reform in a letter of Robert J. Walker, Secretary of the Treasury.**

In the Presidential election of 1844 Henry Clay was chosen by a decided majority of the popular vote honestly cast. But James K. Polk, of Tennessee, was fraudulently counted in. Under Polk, the guillotine again worked vengeance. All Whigs were summarily ejected from office, and their places filled by Democratic Reformers. The spirit of Polk's guillotine may be judged by the following letter of Robert J. Walker, Secretary of Treasury, to James L. Childress, whom he had appointed to a place in the Treasury under the belief that he was a Democrat:

May 4, 1846.

DEAR SIR: On Saturday last I directed your appointment to be made out. Since that period it has been made known to me that you are, and always have been, a whig. This was very unexpected intelligence to me. You never did represent yourself to me as a Democrat, but I took it for granted that such was the fact. It is impossible for me to make the removal contem-

plated for the purpose of appointing a Whig. I have felt constrained, therefore, to revoke the order for your appointment. I regret this occurrence very much. Our short acquaintance had made a strong impression on my mind in your favor; and I still believe that, personally, you are entitled to my respect and esteem; but under the circumstances, I cannot make the removal and appointment as I intended. I take pleasure in saying that your deportment throughout has been correct and honorable.

Yours, very respectfully,

R. J. WALKER.

JAMES L. CHILDRESS, Esq.

No Whig need apply. None shall hold office under Democratic Reform. However worthy or excellent in character and ability, they were not trustworthy agents for the Democracy. That was the spirit which animated the fraudulent tool of the pro-slavery oligarchy, James K. Polk, and his cabinet, all of his Democratic subordinates, and Whigs were busily hunted and ejected from place.

**Satanic Spirit of Proscription under Polk—Support of Mexican War a test, not merely of party fealty, but of Patriotism—A War Register proposed—Enroll the Tories—Perpetuate the record of the Traitors in every Town, Village or Hamlet—"Moral Treason," &c.**

One of the grand objects of the oligarchy, or the Pro-slavery Propaganda, as it was called, in fraudulently forcing Polk upon the nation as President, was the seizure by conquest of a part of Mexico in aggrandizement of their slave tyranny—as a means of building up, with the people's blood and treasure, a slave oligarchy strong enough within itself, to overthrow and destroy the government and nation. Hence, the war violently forced in 1846 upon Mexico and fraudulently upon the American people. It forms the darkest chapter in our history prior to the slaveholders' Rebellion. It was denounced by many as "unwise" and "unholy"—as a "damnable war;" and its authors and abettors were held up to public execration. But the Democracy North and South made its support a test not merely of party fealty but even of patriotism. It proscribed with a ruthless hand all who opposed or were suspected of opposing the war. The intolerant spirit, the really satanic spirit, which at this period possessed the Democracy, may be appreciated from the following proposition urged in the *Ohio Patriot*, of December 18, 1848, published at Columbus, and one of the leading organs of the Democracy:

**A WAR REGISTER—TIMELY PROPOSITION.**—It has been suggested that the cause of the country may be promoted by the opening of a war register in every city, town, or village, for the



purpose of preserving an authentic record of the toryism which may be displayed by individuals during the continuance of the present war. In this register it is proposed to record the names of such personages as make themselves zealous in pleading the cause of the enemy, and oppose the war into which the people and the Government of the United States have been forced by Mexican aggression, insult, and robbery. Besides the names of the individuals who pronounce against the justness of our cause, such sentiments as are particularly odious should be placed on the register. Where an individual expresses sympathy for the enemy, wishes the death of the President, or the downfall of the national administration, as a punishment for having engaged in the war, the sentiment of the tory should be registered in his own language as near as possible. All statements intended for entry on the record should be verified by the name of the witness or contributor.

The above is a general outline of the plan. Such a record as it proposes will save much doubt and prevarication in after years. Had such a record been kept in 1812, the denials of those who opposed the war of that era would now avail them nothing. We hope that our friends everywhere in Ohio will move in this matter without delay.

Was not this a conception worthy of Beelzebub himself? Nevertheless, the *Union*, the national organ of the Democracy at Washington, in its issue of December 24, 1848, in an editorial titled "*Antidote to Moral Treason*," formally justifies this cold-blooded devilry. It says:

Those traitorous acts which may be performed, and those treasonable sentiments which may be promulgated, without an infringement of the criminal laws of the country, but are yet calculated and intended to give aid and comfort to the enemy, have been well treated as constituting "*moral treason*."

There is no statute law in the United States for the punishment of "*moral treason*." Traitors may stalk abroad at mid-day, promulgating their treacherous sentiments with impunity, so long as they are guilty of no *overt act*. They may encourage the enemy through the press—they may denounce their own government as meriting the curse of God, and proclaim the hostile country to be deserving of the prayers and sympathies of the world; and yet this is not legal treason. They may advise and cheer the foe, at a distance; they may join the adversary in head and heart; but, nevertheless, they are amenable to no statute law so long as they keep their carcasses within the American lines. We now find thousands taking advantage of the leniency of our criminal code; and it is not improbable that Santa Anna's army would be some thousands stronger than at present, did not an act of Congress affix the punishment of hanging by the neck until dead to the offence of joining the enemy *in person*.

The *Union* adds:

We bespeak for the proposition of the Ohio editor the consideration of our friends generally. The patriotic portion of the opposition will probably favor the project, as they may thereby escape odium, which, in the absence of evidence, may hereafter unjustly attach to their characters from the fact of being members of the Federal party.

We have not space to give the facts in further detail.

## PART XI.

### The Guillotine Again under the Whigs.

**General Taylor's Administration—He energetically ejects Democratic Reformers—The Reformers Squeal in the Senate—Bradbury's Resolution—Douglas's Speech on Removals—Democracy do not object to Removals—Oh, no!—In themselves they are Proper and Right—But do object that they should be Made in a Manner to convey a charge of a want of "Honesty, Capacity, and Fidelity."**

In the Presidential campaign of 1848 General Taylor, of Louisiana, a Whig, defeated General Lewis Cass, of Michigan, for the Presidency. Millard Fillmore, of New York, was chosen Vice-President. General Taylor was inaugurated March 4, 1849, and the whole Whig party, with great unanimity, rallied to the support of his administration in the matter of removals, if not in that of appointments. Their wholesale proscription under Polk tired their hearts with enthusiasm for a new deal.

Hon. John M. Clayton, of Delaware, as Secretary of State, and Hon. Thomas Ewing, as Secretary of the Interior, both of whom during the reign of Jackson had eloquently reprobated partisan removals, were summoned into the Cabinet. Actual experience had taught them the utter impracticability of operating a Whig administration through Democratic agents. They therefore did not attempt it; nor did their compeers in the Cabinet; but all, supported by the President, immediately and actively began the restoration of "the former efficient public servants," Whigs ejected by President Polk, to places under the Government. Truly, the guillotine worked vengefully. Few Democratic reformers escaped. Nor had these reformers any ground for disappointment; any just expectation to remain in office under General Taylor; for, upon the nomination of the General, they in a body waited upon Mr. Buchanan, Secretary of State, at Washington, and he warned them in the following language of what they might expect in the event of the General's election:

Let no Democrat lay the flattering unction to his soul that General Taylor's administration would not be a proscriptive Whig administration. \* \* \* A Whig himself, elected by Whigs, and surrounded by a Whig Cabinet, he would be compelled, by the necessities of his position, to carry into effect Whig measures and Whig principles. Indeed he would prove faithless to his party if he were to pursue any other course.

Nevertheless in the United States Senate, at the session of 1849-'50, Mr. Brad-

bury, of Maine, affecting great indignation at what he calls the proscriptive policy of General Taylor's administration, introduced the following resolution :

*Resolved*, That the President be requested to cause to be laid before the Senate all charges which have been preferred or filed in any of the departments against individuals who have been removed from office since the 4th day of March, 1849, with a specification of the cases, if any, in which the officers charged have had opportunity to be heard, and a statement of the number of removals made under each department, including subordinates in the custom-houses and other branches of public service.

In the debate which ensued upon this resolution, Mr. Bradbury, manifestly sensible of the false position of a Democratic Senator reprobating party proscription, qualified it by declaring :

It is not the policy of making removals that I assail or call in question. It is the inconsistency between the professions and practice of the party in power—the fraud of faith solemnly pledged to know no party, and to make removals only for cause, followed by a general expulsion of Democrats, with an imputation of delinquency thrown upon them. It is this of which I complain, and not of the propriety of an administration employing those favorable to its principles to carry out its measures.

But Mr. Stephen A. Douglas, the "Little Giant" of Illinois, formulated the Democratic position on this resolution in his speech in the Senate of June 4, 1850. In that he arraigns General Taylor's administration for wholesale removals of Democrats from office, not because he objects to removals, but only because they violate the previous pledges of General Taylor, during the Presidential campaign, that there should be under him no merely partisan removals, and that all removals should be based on a want of "honesty, capacity, and fidelity" to the public service. Consequently, these removals, under such pledges, amounted "by implication" to a declaration that the officers ejected "were deficient in these requisites to fulfil their trusts." He urged :

The crime consists in slandering the characters of these men, and not in removing them from office. Sir, I make no complaint of their removal. I am willing that when Whigs have the administration they shall have their own men in the offices, for which they are responsible.

You may take all the offices; you are welcome to them; make the best use you can of them while you are responsible for the faithful performance of their duties; but do not slander better men than yourselves.

I repeat again that I do not complain that Democrats were removed. \* \* \* We expected that they would be removed. \* \* \* We expected our friends to be removed; we were willing that they should be, and that Whigs should be put in their places. All that we asked was, that good Whigs—those who were honest and capable of filling the places vacated by the Democrats, should be installed into these offices. \* \* \* Let this be done, and you will have no difficulty in having my vote to con-

firm the nominations without inquiring whether they were active partisans or not. I am willing that you should reward your faithful and active men; but it is not necessary, in order to do justice to them, that you should do injustice to our friends.

But that position was simply a clever ruse, an ingenious flank movement, of the Democracy, to enable them to assail General Taylor's removals without involving themselves in inconsistency. General Taylor had made no pledge of the kind, and the Democracy had been fully warned by Mr. Buchanan, in the extract quoted above, that General Taylor would remove all Democrats from office; that such a course would be necessary "to carry into effect Whig measures and Whig principles," and that if General Taylor pursued any other course "he would prove faithless to his party."

## PART XII.

### The Guillotine Under Pierce and Buchanan.

**Reign of Slavery—Corruption Divides the Throne with Slavery—Wm. L. Marcy, Author of the Maxim that "To the Victors Belong the Spoils," made Secretary of State—The Guillotine Now Worked by Men who Delighted in Proscription for the Sake of Plunder—The Fearful Corruption and Abuses of the Appointing Power.**

In the Presidential campaign of 1852 General Franklin Pierce, of New Hampshire, defeated General Winfield Scott, of Virginia, for President, and the Whigs, as a party, disappeared from our politics. Wm. R. King, of Alabama, was chosen Vice-President. General Pierce was elected by a great majority in the electoral colleges—receiving 254 votes, and General Scott only 42.

In the Presidential campaign of 1856, Hon. James Buchanan, of Pennsylvania, through fraud and fraudulent counting, defeated the first Republican candidate, General John C. Fremont, for the Presidency. Hon. John C. Breckinridge was chosen Vice-President.

Pierce's administration soon developed into a tyrannical reign of the slaveholder, and opened the turbulent period which extended through his own and Buchanan's administration, and culminated in the rebellion.

In 1841, in the Senate, in the debate upon Mr. Buchanan's resolution, Mr. Pierce, who was then a United States Senator, as will be seen by reference to our brief sketch of that debate, condemned partisan removals in the strongest language. As President, he had a change of heart. Wm. L. Marcy, of



New York, who, in 1832, in the Senate, formulated the proscriptive doctrines of Democratic reform, into the maxim that "to the victors belong the spoils," was appointed Secretary of State, and the guillotine was now worked by men who delighted in proscription as a source of plunder. All Whigs, all Union men, were removed or excluded from office. Adhesion to slavery, servility to and an active partisanship of the pro-slavery oligarchy and its violent and unconstitutional measures or decrees for its aggrandizement, were made the grand tests of party fealty, and were the only passports to executive favor. Nor only that. United States Senators were formally warned by the party organ—the *Union*—at Washington, that, in the matter of the President's nominations to office, unless a vote of rejection was based on solid, sound, or tenable grounds, of which the President and his cabinet advisers were to be the judge, recreant Senators "*should have reason for personal and political regret forever.*" Verily, Slavery was King!

Thus, Pierce's and Buchanan's reigns, for they were nothing else, were reigns of slavery—violent, corrupt, tyrannical and sanguinary. Corruption, indeed, divided the throne with Slavery. The executive patronage, both in the matter of removals and appointments, with the plunder of a thousand corrupt jobs, were openly used to debauch the elective franchise in the States, to stifle the will of the majority, and bribe Congress in the passage of violent and unconstitutional measures, such as the Lecompton, for the conquest of Kansas—to violently suppress freedom in a Territory against an overwhelming majority of its people. Such a condition of the State was only possible to Democratic reform. For a time it had practically no opponent. The Whig party was dead. Its death had been hurried by its division upon the question of slavery, and the American party, which had but a brief life, was also divided on the question. The repeal of the Missouri Compromise, however, gave birth to the Republican party upon a platform of freedom in the Territories.

Now, the departments were searched for sympathizers with this new party arrayed against Democratic reform in support of slavery. A vile system of espionage was instituted throughout all the ramifications of the government, and all suspected or tainted with the heresy of Republicanism—with the heresy of Freedom—were denounced as *Black Republicans*. They were ostracised socially, denounced as political lepers, a price was practically placed upon their heads, as upon a wolf's, and they were systematically hunted from government places. In the preceding pages, in our chapter on Political Assessments, we

expose from the original files of the Interior Department, much of this infamous work. Let us now produce some extracts from one of the numerous Congressional reports into the shameful abuses and corruptions of the appointing power under Pierce and Buchanan. We quote from H. R. 184, 35th Congress, 1st session. In describing the disgraceful details of these abuses at the Brooklyn navy yard, it says:

**Corruption at Brooklyn Navy-Yard—Patronage of Yard Divided Among Members of Congress—The Yard Reduced to a Mere Political Machine—Its Abuses and Corruptions—Day Laborers at \$1.12 1-2 per Day Assessed to Meet Election Expenses—Taxed to Purchase "Voluntary Gifts" of Watches, Diamond Breast-pins, etc., to Bosses—These Abuses Supported by Arrangements at Washington.**

The division of patronage among members [of Congress] was well known in the yard. Each master workman understood to whom he and each of his fellows owed their places. Thus the construction engineer, the master plumber, and the master blockmaker, represented Mr. Sickles; the master painter represented Mr. Searing; the master spar-maker, master blacksmith, and timber inspector represented Mr. Maclay; the master laborer, under the construction engineer, the master boat-builder, and the master ship-carpenter represented Mr. Taylor; the master caulker represented Mr. Cochrane; and the master stone-cutter represented Mr. Ward. Until May, 1858, the master laborer, under the constructing engineer, represented Mr. Clark, and the master carpenter represented Mr. Haskin, and so with all the heads of the departments of labor in the yard at Brooklyn.

Lawrence Cohane was appointed master carpenter, upon the nomination of Mr. Haskin, in the general division of patronage. He was removed on the 9th of June, 1858, on account of Mr. Haskin's course upon the Lecompton constitution. [He opposed it.] Alexander Ward was appointed in October, 1857, for Mr. Clark; and in May, 1858, after Mr. Clark had taken position upon the Kansas question, he resigned. He states that he wanted to use his influence for the renomination of Mr. Clark, and he knew that if he did so, and still remained in the yard, he would subject himself to being removed. Rather than that, he preferred to leave himself. These places were then given to Mr. Taylor.

Each master workman selected all the workmen under him, and upon his requisition the number was increased or diminished, he naming those to be selected or discharged. \* \* \*

This system, added to the abuses previously existing, has reduced the navy-yard to a mere political machine, where idleness, theft, insubordination, fraud, and gross neglect of duty prevailed to an alarming degree. Members of Congress, officers of the yard, both naval and civil, master workmen, contractors and laborers, have all testified to many abuses.

The natural result followed: many of them employed were of an inferior class of men. With rare exceptions good workmen would not humble themselves to seek from a politician a job of work when they could get it elsewhere. A master workman testified that the poorest workmen were pressed upon him with the most pertinacity. Romeo Franza, one of the master workmen, writes the department on date of August 5, 1858. "In eight congressional districts who claim the patronage of the yard, in nine cases out of ten the men who are treacherously recommended are very indifferent hands, many of

whom cannot obtain employment from private employers." Men from the laborers' gang, who knew nothing about painting, were ranked as first-class painters, others as blacksmiths, &c.; and so on in different departments. Laborers were employed to act as clerks and to work as carpenters.

Worthless persons, old men, physically unable to work, "primaries," &c., were sent by members of Congress to master workmen, often merely to get rid of their importunities, and they were taken into the several departments, until their unfitnes was palpable, and even then in some cases partisan services outweighed public interests. The only department in which the commandant of the yard had a right to appoint the men was the riggers' and the sailmakers' department, usually sailors working under warrant officers of the navy. Commander Rootes was applied to by members of Congress to put certain men even in their places, and in some instances he complied.

A system of appointment so vicious could not but produce disastrous results. Master workmen neglected their duty. The master of laborers testified that some time after his appointment he continued his business as a tinsmith, two miles from the yard, and attended in the yard about two hours a day. Many of these master workmen transferred to clerks and quartermen duties they should have performed themselves. A general concurrence of many witnesses conclusively proves that the work done by the laborers in the yard did not exceed two-thirds of that done for private individuals.

How far, or whether employments were sold in the yard, your committee have not been able to ascertain. Master workmen testify that offers of money were frequently made to them for employment, but they refused, and direct bribery could hardly be practiced without exposure. The same offence, however, was repeatedly committed in another way. The master workmen received presents, or "testimonials" as they were called, from the workmen. This practice was common; watches, diamond breastpins, and the like, are the usual gratuities. They were paid for by contributions levied upon the men under them, nominally as voluntary gifts, but really under the fear of removal. The master painter, when appointed, was asked by Captain Rootes if he knew his duty.

"He said it was to set a good example to the men and keep them to their duty, 'further,' said he, Captain Rootes there are not three men in the yard who do the duty of one," alluding, as I suppose, to the painters. I said to him: That is the opinion of more than yourself, and I am glad to hear you say what you do; I hope when you come in here you will set them a good example, yet, within two or three weeks after that, my attention was drawn by some person saying that this same master workman was receiving a gold watch from the men in his employ."

This watch cost the laborers \$175, all of which was paid by the workmen in the painters' department. \* \* \*

A short time afterwards a contribution of ninety dollars was collected from the men to pay Mr. Turner's expenses to Washington, under the pretext that he could get the pay of the men raised. *Still another collection of fifty-eight or sixty dollars was taken to defray election expenses.* All these contributions were collected between April 1, 1858, and the November election, and from common workmen, whose wages were alleged to be inadequate. Master workmen testified before your committee with their "testimonials" on their persons.

These abuses increased in the yard as the election for members of Congress approached. Members [of Congress], master workmen, all were interested in packing the yard. If the master workman was reluctant to increase his force, he was urged to do so by the members of Congress, and was compelled to yield to the demand. In this way the master blacksmith in-

creased his force twenty-five men. He testified that the same general increase, for the same reason, occurred throughout the yard in all the different departments; and that of the force of about 2,400 men thus employed, one-fourth were useless; that it was understood that particular master workmen were to administer their patronage for the benefit of particular members, &c., &c., &c.

Comment would be superfluous.

Let us add to these shameful details of corruption and abuses in the navy-yards an extract from a Philadelphia paper—the *Sunday Dispatch*—in 1860—showing what was expected of the disciplined employees of all grades under these proslavery Democratic reigns, and how they performed their parts. The article is headed "The Voice of the People!"—"Intense Excitement among Office-Hunters and Office-Holders!"

**Office-holders Spontaneously Uttering the Voice of the People—They Rally to the Support of Lecompton—All the "Unterrified" in Arms—Slavery to the Front; Freedom to the Rear—A List of their Patriotic Names—Enthusiastic in Vindication of the "Old Pub. Func."**

The *Dispatch* says:

The loyal *Pennsylvanian* and the courtly *Argus* last week published a call for a mass meeting of the Democracy at Jayne's Hall, to "endorse" President Buchanan's policy of coercing the people of Kansas into submission to the anti-Republican Lecompton Constitution. This affair was offered to the Jacks-in-office, and the Jacks who would like to be there, glorious opportunities of displaying their lackeyism to the Administration, and their entire abasement to the powers that be. The list of names published by the *Pennsylvanian* has three noticeable peculiarities: *First*, that the Custom-House, Post-Office, Mint, and Navy Yard are out in fearful array; *second*, that the eagerness of candidates for future favors is most plainly set forth; *third*, that in order to make the list respectable in point of size, the dodge of repeating the same names twice and three times is extensively resorted to. Thus, the name of "Jno. F. Stump" appears three times; "Robert F. Christy" is printed twice; "John G. Ringland" votes twice for Buchanan; and twenty or thirty others are similarly reduplicated. By such means the list is made to stretch out to the length of a column; and the defection of the large number of members of the Democratic party who would not sign the call is glossed over.

The task of getting up this grand demonstration is said to be the work of Mr. District Attorney Vandyke, whose devotion to the Administration when it is in the wrong may perhaps insure his reappointment to his present snug office. \* \* \*

From the names attached to the call of the meeting, we select the following as the most prominent. There is a large number of names of the occupants of small-fry offices under the National, State, and City governments, to whom we have not thought it worth while to mention. It is sufficient to say that, after deducting the names printed twice and thrice, there is scarcely a person left who has not held office, who does not hold office now, or who has not an earnest desire to hold office hereafter. Behold these *disinterested* advocates of the Kansas wrong who assume to speak for the free Democracy of Philadelphia:

Joseph B. Baker, Collector of the Port.



Gideon G. Westcott, Postmaster, not yet confirmed.

Chambers McKibbin, Naval Officer.

John Hamilton, Jr., Surveyor of the Port.

Joseph Severns, Naval Storekeeper.

James C. Vandyke, United States District Attorney.

George R. Berrell, United States Appraiser, candidate for Sheriff.

William S. Winship, Deputy Surveyor United States.

William V. McKean, Chief Clerk Post Office.

John Miller, ex-Postmaster, candidate for State Treasurer, Director of the Mint, or anything the President may give that will pay.

John Robbins, ex-Member Congress, candidate for State Treasurer, Director of the Mint, or anything the President may give that will pay.

Arthur Hughes, ex-Mail Agent, candidate for Health Officer under Packer.

William V. McGrath, ex-Appraiser, City Treasurer, of the John Miller school.

Jesse Johnson, Stamp Agent United States, candidate for reappointment.

Frank Campbell, candidate for Appraiser under Judge Ludlow.

Washington Bigler, Day Inspector, candidate for reappointment.

T. H. Forsyth, Assistant Weigher, Custom House, contractor on the new Post Office.

Samuel King, Day Inspector.

S. D. Anderson, ex-Pension Agent.

Edward Dunn, ex-Letter-Carrier, new Clerk under J. P. McFadden.

Robert T. Carter, Alderman.

Alfred Schofield, Day Inspector.

David McVeigh, Night Inspector.

A. J. Webster, Clerk, Sheriff's office, candidate for Sheriff.

W. B. Ranken, candidate for District Attorney in place of Vandyke.

Jacob Plucker, in United States Mint.

John Crawford, ex-bargeman, now Sergeant of Police.

Samuel Rice, Sub-Post-office driver, brother of John Rice and William Rice.

Wm. Loughlin, Appraiser's Department, U. S.

Geo. Pitt, Clerk U. S. Circuit Court, candidate for Marshal District Columbia.

Robert Tyler, Prothonotary Supreme Court, wants a foreign mission if he can get it.

John G. Brenner, Dictator of Custom-House appointments, Contractor for Navy Department.

W. H. Witte, wants to be Governor.

John Potter, U. S. Mint.

V. L. Bradford, wanted to be Judge; will take anything.

J. C. Vandyke, U. S. District Attorney.

T. McDonough, boss-blacksmith, Navy-Yard, President "Molly Maguires."

C. W. Carrigan, Register of Wills, prospective candidate for Congress.

A. Brunnacker, Day Inspector.

Wm. Rice, U. S. printing, and all he can get.

Peter Rambo, U. S. Postmaster, Kensington.

Thomas I. Timmins, U. S. Deputy Marshal.

John J. Ringland, Day Inspector [see evidence District Attorney case.]

Chas. Brady, Mail Agent.

Pat. McDonough, Tipstave, Supreme Court, and City Supervisor.

Wm. McDevitt, Clerk, P. O.

John C. Yeager, candidate for Inspector U. S. coal.

Horace Martin, Assistant Clerk of Council.

N. P. Murphy, Clerk City Treasury.

B. C. Brodie, P. O.

The Ellis, Custom-House, Day Inspector.

Jacob Walters, Night Inspector.

E. P. Lesure, Custom-House.

John McComb, laborer in U. S. Mint, wants to be Crier in Common Pleas.

Andrew Miller, ex-Recorder of Deeds, candidate for Judge.

Samuel Pleasant, Appraiser Custom-House.

Thomas C. Maybury, Appraiser Custom-House.

William K. Wentz, employee Custom House.

James McDevitt, Navy Pension Agent.

Samuel Walters, Legislature.

William O. Kline, candid to for Leather Inspector.

Thomas H. Town, job printer for Government officers.

C. B. F. O'Neill, Common Council, ex-candidate Clerk Orphan's Court.

James Campbell, ex-Postmaster-General.

E. W. Power, Custom-House.

Thomas McDonough, Custom-House.

Jacob Peters, ex-candidate for Sheriff.

Isaac Wayne Olwine, applicant for Clerk District Court.

Peter Cullen, President Equitable Mutual Insurance Company.

Theophilus Fisk, editor *Evening Argus*, ex-lecturer on psychology.

John H. Bryant, Clerk to Naval Storekeeper.

Frank Cassidy, boss in the Navy Yard.

John Campbell, ex-candidate for Clerk Orphan's Court.

A. R. Fenner, Coroner.

Chas. Brown, (\$190?)

John A. Morrison, U. S. Inspector of Drugs.

H. J. Fougerey, Messenger to Councils—applicant for Assistant Doorkeeper Congress, Washington.

John E. Ziegler, U. S. Mail Agent.

John F. South, Post Office.

John Chambers, ("War Horse?")

Gibbons Marsh, Post Office.

John Rice, Contractor for Post Office, author of "the Monster Hotel folly," hero of "the Rice Job," etc.

John K. Loughlin, Custom-House, ex-candidate Prothonotary District Court.

John K. Hammitt, applicant for contract to build a sloop-of-war.

Samuel C. Thompson, Clerk of the Market, City.

Geo. M. Wharton, President Select Council.

Thos. B. Town, member of the Board of Health.

Oscar Durang, Post Office.

Wm. Byerly, Sergeant of Police.

Terence Monaghan, (see evidence District Attorney case.)

And a hundred others, all office-holders in the custom-house, postoffice, &c.

**The Notorious Wendell's Immense Plunder through the Public Printing — He Shares the "Swag" with the Democratic Reformers — His Liberal Contributions Disbursed under the Advice of President Buchanan—The Sabbath devoted by Buchanan and Wendell to Discussions as to Best Disposition of "Swag"—Disbursed in Debauching Elections, &c.**

Cornelius Wendell, from 1857 to 1861, in one form or another, either as Public Printer, or as contractor with the Public Printer who was elected by the two Houses of Congress, had possession of the Government printing, the great plunder job of Pierce's and Buchanan's administrations. His bills for printing were enormous. Many charged that they were fraudulent, and by his own confession under oath his profits or plunder was immense. This "swag" he generously shared with the party. His contributions were many and liberal, both for the corruption of Congress and electors in the States, and these he disbursed mainly under the advice of President Buchanan. In his testimony in

1860, before the Covode Committee, (see H. R. 648, 36th Cong., 1st sess.,) Wendell swears:

Q. I wish to ask you a few further questions concerning the elections in Pennsylvania. When you had interviews with Mr. Buchanan previous to the elections in Pennsylvania in 1858, did you not freely talk with him in regard to the use of money to carry certain districts?

A. I talked with him freely as to the use of money in elections; I do not remember as to any specific districts; I talked about the expenses of elections generally, the large amounts used; yes, sir.

Q. Did you not tell him you were compelled to use large amounts of money?

A. I cannot say that I told him I was compelled.

Q. That you were using large amounts of money?

A. He was cognizant of the fact that I contributed largely for elections.

Q. You had conversations with him upon that subject?

A. It was the subject of conversation at different times, the amounts that I contributed.

Q. What was the character of the several letters from Pennsylvania that he read you portions of during one of the interviews you had with him about carrying certain districts? How was it to be done?

A. I think the most of them wanted material aid; they made suggestions as to aid required in different districts generally, and the political affairs of their several districts.

Q. Why did he call your attention to those letters calling for that kind of aid? Was it because he expected you to attend to it?

A. Well, I do not know, indeed, what the motive was; our conversations were generally about politics and the contest going on, and the letters might have been shown in conversations, which in those days were generally political; almost always, I might say; my conversations with him were always of a political character.

Q. On what occasion was it that you had these long interviews with him; was it not immediately before the election, and relative to the means to be made use of to carry the elections?

A. Well, I could not say; I had them at different times. I presume that during the time of elections I had some long interviews, and again at other times. I do not call to mind any particular date when these interviews were held. They were held at different times during all my intimacy with him.

Q. On what days of the week did you have long interviews with him? Can you recollect?

A. Pretty much every day, I should presume. I do not remember any particular day of the week.

MR. OLIN, (to the Chairman.) Do you suppose he took Sundays for that purpose?

THE WITNESS I have had interviews with him on Sundays.

By the CHAIRMAN:

Q. Was it not your habit previous to the election to spend the Sabbath day with Mr. Buchanan, conversing freely upon political matters, and particularly with regard to the use of money to carry elections?

A. I cannot say it was a usual habit. I saw him on Sundays; I could not say how many.

Q. I am referring to immediately preceding the elections.

A. Yes, sir; I may have seen him on one or two Sabbaths immediately preceding the fall election of 1858.

Q. On those occasions had you conversations with him on that subject?

A. Conversations on politics?

Q. In connection with money matters.

A. The expenses of the elections would usually come up during the conversation.

Q. Did Mr. Buchanan object to carrying elections or helping to carry them in that way?

A. Never to me.

## PART XIII.

### Removals and Appointments under Presidents Garfield and Arthur.

#### Relative Ratio of Removals or Changes by Presidents Garfield and Arthur.

General Garfield occupied the Presidential chair something less than four months.

During the special session of the Senate, commencing March 4, 1881, and ending May 20, 1881, President Garfield made two hundred and sixty-six reappointments and fifty-one removals. During the recess of the Senate he made thirty-five reappointments and thirty-eight removals; in all three hundred and one reappointments and eighty-nine removals. Of the changes in office made by President Garfield over 22 per cent. were removals from office. During the ten months of his administration President Arthur has made eight hundred and seventy-four appointments to office, of which the number of removals is forty nine: or 5 per cent. of removals as against 22 per cent. of removals made by his worthy predecessor.

#### Only five Removals, two for Defalcation, by President Arthur in Pennsylvania.

There are in the State of Pennsylvania of Presidential offices one hundred and eighty-six; of Federal offices, appointments, &c., 3,847. Now of the one hundred and eighty-six Presidential appointments, how many changes—removals—do you suppose President Arthur has made? One hundred? No. Seventy five? No. Fifty? No. Twenty? No. Ten? No. He has made five out of the one hundred and eighty-six, and two of the five were for violations of the statutes. Of the five mentioned, three were postmasters, two of them removed because they were defaulters.

#### Only five Removals, two for Cause, by President Arthur in New York—Only one in Ohio.

In the State of New York there are two hundred and seventy-six Presidential appointments. Of the two hundred and seventy-six Presidential offices in the State of New York (there being 3,098 Federal appointments altogether) President Arthur has made five changes, two of them removals for cause. Thus, he has made only three removals out of the two hundred and seventy-six Presidential appointments in the State of New York.

In Ohio, of the one hundred and forty-five Presidential offices one removal has been made.

#### No Administration from George Washington down to this hour more considerate for the Public Service.

In the history of no administration from George Washington down to this hour has there ever been more considerate regard for the public service as disclosed by the public records.

#### Tables showing the Removals, Appointments, &c., respectively, by Presidents Garfield and Arthur.

The following tables exhibit the removals or changes which have been made from March 4, 1881, to this time:



## Appointments by President Garfield.

## Appointments under President Arthur

	Reappointments.	To fill vacancies.	Removals.		Reappointments.	To fill vacancies.	Removals.
Maine.....	2	2	2	Maine.....	8	9	.....
New Hampshire.....	2	.....	.....	New Hampshire.....	8	3	.....
Vermont.....	.....	2	2	Vermont.....	7	2	.....
Massachusetts.....	4	4	.....	Massachusetts.....	51	11	.....
Rhode Island.....	1	1	.....	Rhode Island.....	.....	.....	.....
Connecticut.....	3	4	.....	Connecticut.....	15	3	.....
New York.....	9	17	5	New York.....	36	23	5
New Jersey.....	2	2	.....	New Jersey.....	15	7	1
Pennsylvania.....	9	11	1	Pennsylvania.....	29	29	5
Maryland.....	1	1	.....	Delaware.....	2	1	.....
District of Columbia.....	.....	3	.....	Maryland.....	5	5	.....
Virginia.....	1	1	1	District of Columbia.....	1	1	.....
West Virginia.....	.....	2	2	Virginia.....	1	8	1
North Carolina.....	1	1	1	West Virginia.....	1	.....	.....
South Carolina.....	2	3	.....	North Carolina.....	.....	6	.....
Georgia.....	1	2	1	South Carolina.....	2	2	.....
Florida.....	2	1	.....	Georgia.....	1	10	2
Alabama.....	1	.....	.....	Florida.....	3	5	.....
Mississippi.....	3	5	.....	Alabama.....	1	6	.....
Louisiana.....	1	.....	.....	Mississippi.....	1	3	1
Texas.....	.....	5	1	Louisiana.....	5	10	1
Ohio.....	1	7	.....	Texas.....	12	11	4
Indiana.....	4	6	.....	Ohio.....	26	22	1
Illinois.....	8	4	1	Indiana.....	21	9	.....
Kentucky.....	1	1	.....	Illinois.....	39	39	.....
Tennessee.....	1	4	5	Kentucky.....	4	9	1
Michigan.....	3	3	2	Tennessee.....	4	4	.....
Wisconsin.....	3	3	.....	Michigan.....	22	19	.....
Minnesota.....	5	3	.....	Wisconsin.....	22	8	1
Iowa.....	5	2	.....	Minnesota.....	9	7	.....
Missouri.....	2	6	.....	Iowa.....	17	15	1
Arkansas.....	.....	.....	1	Missouri.....	7	13	1
Kansas.....	1	5	1	Arkansas.....	3	6	.....
Nebraska.....	1	3	.....	Kansas.....	8	8	1
California.....	3	4	3	Nebraska.....	7	4	2
Oregon.....	2	1	.....	California.....	10	9	5
Colorado.....	.....	2	1	Oregon.....	5	3	.....
Dakota.....	.....	5	.....	Nevada.....	4	2	.....
Montana.....	.....	3	.....	Colorado.....	4	9	1
Idaho.....	1	4	1	Dakota.....	3	5	1
Washington.....	.....	1	.....	Montana.....	3	3	2
Wyoming.....	.....	1	.....	Idaho.....	.....	2	.....
Utah.....	2	.....	.....	Washington.....	2	9	.....
Arizona.....	1	2	1	Wyoming.....	.....	1	.....
New Mexico.....	.....	1	1	Utah.....	3	2	.....
Indian Territory.....	.....	1	1	Arizona.....	.....	5	1
Diplomatic and miscellaneous.....	.....	40	17	New Mexico.....	.....	5	5
Total.....	88	178	51	Indian Territory.....	.....	.....	.....
				Alaska.....	.....	78	10
				Miscellaneous.....	.....	.....	.....
				Total.....	428	446	49

## Recapitulation.

## Reappointments and to fill vacancies.

## Removals.

Nominations by President Garfield during special session of Senate commencing March 4, 1881 ending May 20, 1881.....	266	51
Appointments by President Garfield during recess.....	35	38
Percentage of removals by President Garfield, 22	301	89
Nominations by President Arthur during special and regular sessions....	874	49
Percentage of removals by President Arthur, .05		
Pennsylvania Presidential offices.....	186	
New York Presidential offices.....	276	
Ohio Presidential offices.....	145	

**President Arthur Renominates President Garfield's Nominees—No Removals in over Two-thirds of the States.**

It further appears by the records that of eighty-five nominations made by the late President Garfield, President Arthur sent in every name but thirteen, thus following in the footsteps of his predecessor as nearly as possible, while allowing himself some independence of judgment, being responsible to the people for the proper administration of his office.

## PART XIV.

### **Brief Review of the Foregoing Sketch of Appointments and Removals.**

**Utter Impracticability of Administering the Government by one Party Through Agents Appointed by or from Another and Hostile Party—Practical Experience Coerces Washington to Adopt the Rule of Appointing None but those in Sympathy with the Plan and Purposes of his Administration—All Parties forced to follow Washington's Example—To Rely for their Administrations Only Upon the Supporters of their Measures and Principles.**

In the foregoing skeleton sketch of appointments and removals, or of the exercise of the appointing power, under all parties from the beginning of the government, we have, while exposing their corrupt character in some instances, as under Jackson and Pierce and Buchanan, tried to bring out the facts or principles upon which they were based. One thing we think is clearly proved, and that is, the utter impracticability of the agents of one party operating a government through the agents of an opposite party. George Washington, our first President, experienced its impracticability. His cabinet at first was divided. Hamilton and Knox were Federalists, and Jefferson and Randolph were Republicans. They agreed in nothing. Jefferson and Randolph notoriously abused their trusts, labored to thwart the policy of Washington's administration and to injure it in the estimation of the people. Jefferson actually appointed and retained in office, in despite of Washington, some of the libelers of the President. Jefferson finally found it expedient to resign. Randolph was forced to retire in disgrace, and Washington was compelled to adopt the rule of never appointing to office "any man not in sympathy with the plan and pur-

poses and the objects" of his administration. Experience had taught him that the opposite course was "political suicide."

All subsequent experience verifies that of Washington's. There can be no confidence between these opposite sets of agents—no sympathy or harmony of action and purpose, but a state of conflict between them must always more or less exist, and the worst results follow. As a matter of fact the Democracy, and always under the slogan of reform, introduced removals from office for merely partisan purposes. "To the victors belong the spoils." With them corruption and proscription were twins, and the odium of their corrupt administrations were reflected upon their exercise of the appointing power. Their sin was that they selected corrupt instead of honest agents. Hence, the Whigs found the exercise of the power absolutely necessary to a successful administration of the government. When out of power, and without actual experience in control of the machinery of the government, some of their ablest men, like Clay and Webster and Ewing, speculating theoretically upon a practice wholly novel at the time in our history, eloquently condemned the practice as opposed to good policy and the best interests of the government. But in actual contact and control of the machinery of the government, and oppressed with the weighty responsibility of its administration, the stern necessities of their position coerced them to adopt the rules they had condemned. They realized the utter impracticability of operating a Whig government through Democratic agents. They found that they must have agents in whom they had confidence, personally and politically. They could not trust, nor would they be responsible for, the agents they found in office. They therefore summarily ejected them from place, and substituted agents in whom they did have trust, for whom they were willing to be responsible before the country, and the public service was immeasurably benefited.

**Burke's Description of Earl Chatham's Attempt at Civil Service Reform—The Checkered and Speckled Character of his Administration—Places his Enemies in Power Under Him—The Fatal Consequences to His Own Plans and Measures and to England.**

Let us draw an illustration from English history. Earl Chatham was the greatest of English Cabinet Ministers. He had his own notions or methods of administration, very similar to that of our would be civil-service reformers, and attempted to carry them into effect during his regime as Prime Minister. What was the result? We here quote



Edmund Burke's celebrated description of its character and results:

For a wise man he [Earl Chatham] seemed to me at that time to be governed too much by general maxims. I speak with the freedom of history and I hope without offense. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were greatly mischievous to himself; and for that reason, among others, fatal to his country—measures the effects of which I fear are forever incurable. He made an administration so checkered and speckled—he put together a piece of joinery so crossly indented and whimsically dovetailed—a cabinet so variously inlaid—such a piece of diversified mosaic—such a tessellated pavement without cement—here a bit of black stone and there a bit of white—*patriots and courtiers, King's friends and Republicans, Whigs and Tories, treacherous friends and open enemies*—that indeed it was a very curious show, but utterly unsafe to touch and unsure to stand on. The colleagues whom he had assorted at the same boards, stared at each other, and were obliged to ask, "Sir, your name?" "Sir, you have the advantage of me—Mr. Such a one—I beg a thousand pardons." I venture to say it did so happen that persons had a single office divided between them who had never spoke to each other in their lives, until they found themselves they knew not how, pigging together, heads and points in the same truckle bed.

Sir, in consequence of this arrangement, *having put so much the larger portion of his enemies and opposers in power, the confusion was such that his own principles could not possibly have any effect or influence in the conduct of affairs.* If ever he fell into a fit of the gout, or if any other cause withdrew him from public cares, principles directly the contrary were sure to predominate. When he had executed his plan he had not an inch of ground to stand upon. *When he had accomplished his scheme of administration he was no longer a minister.* When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of ministry, were admitted to seem as if they acted under him, with a modesty that becomes all men, and with a confidence in him which was justified, even in its extravagance, by his superior abilities, had never in any instance presumed upon any opinion of their own. Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port; and as those who joined with them in manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and powerful of the set, they easily prevailed, so as to seize upon the vacant, unoccupied, and derelict minds of his friends; and instantly they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his administration, when everything was publicly transacted and with great parade in his name, they made an act declaring it highly just and expedient to raise a revenue in America.—*Speech of Edmund Burke in the English House of Commons on American Taxation, April 19, 1774.*

#### APPENDIX.

**Wm. L. Marcy charges the State 50 cents for the mending of his pantal-**

**loons—Origin of the matter—The Charge against him and his Sensitive-ness over the matter.**

The following letter from Hon. Wm. L. Marcy, the author of the maxim "to the victors belong the spoils," to his friend, Mr. Jesse Hoyt, at New York, in relation to a charge, which in its day filled a conspicuous part in our politics, will form a fitting appendix to this chapter:

[Private.]

ALBANY, 16th Oct., 1832.

MY DEAR SIR:—Your letter of Monday evening I received this morning, and with it a breeze from the South, that gives some of our folks a chill.

The opposition pretend to have certain information that Ritner is elected.

Though we do not yet yield to this belief, still we are less confident than we were yesterday of Wolfe's election.

As to the *pantaloon* affair, perhaps I am not the person best qualified to advise.

Though the charge was right in itself yet it must be regarded as an *unfortunate one*, because so easily turned into *ridicule*.

I showed your production to Flagg—he thought it very well, but seemed to think it was a little too formal. The enemy will have their laugh, but I hope it will not do much mischief.

The true explanation is simply this:

When Comptroller, I had always made war on *lumping* charges, because I was satisfied many frauds against the State had been perpetrated by them.

The law provided the payment of the Judge's expenses in holding the Special Circuit. I kept a particular account of them which was handed to the Comptroller.

While on this business some work was done on Pantaloon, for which the Tailor charged Fifty cents; it was entered on the account, and went into the Comptroller's hands without a particular reflection how it would appear in print.

*I feared no danger for I knew no sin.*

*I can not advise you how it is best to treat the subject.*

The article in the *Argus*, headed, "*A Very Grave Affair*," is perhaps as full an explanation as the transaction will admit of. But it will be well to connect it, if much must be said on it, with the great frauds and peculations of Holley, Van Tuyl, John V. N. Yates—(who I believe for love of me writes many of the scurrilous articles in our papers,) in appropriating about \$800 of Peddlers' License Fees, &c., &c.

Now as to my *War Services*, (a more agreeable subject,) I was out two campaigns—in 1812 on the northern frontier—belonged to the party which took from the enemy at St. Regis the first stand of colors taken in the late war, on land, and the first prisoners (about 40 in number.)

These prisoners were in a house built of square timber. I personally headed the party that took them—myself broke open the house, entered it, and took from the hands of the soldiers their arms, &c.

I care not how much THIS matter is handled, but rather they would let my *pantaloon* alone. I return your remarks. Yours, &c.,

W. L. MARCY.

## CHAPTER VI.

# Maladministration and Corruption of the Democratic Party in Control of National Government.

*"We pledge ourselves anew to the constitutional doctrines and traditions of the Democratic party, as illustrated by the teachings and examples of a long line of Democratic statesmen and patriots."*

\* \* \* —Declaration 1, National Democratic Platform, 1880.—*"Public money \* \* \* for public purposes solely."* \* \* \* —Declaration 12, *Ibid.*

## PART I.

## Ratios of Democratic defalcations compared with Republican honesty.

Administration.	Period of service.	TOTAL.			TOTAL.			RECAPITULATIONS. *		
		Receipts.	Losses.	Loss on \$1,000	Disbursements.	Losses.	Loss on \$1,000	Amount involved.	Total Losses.	Loss on \$1,000
Washington	Yr. 8	\$56,448,721	\$210,551	\$3 72	\$55,426,822	\$38,497	\$0 69	\$112,560,503	\$250,970	\$2 22
Adams.....	4	46,085,418	42,249	91	43,811,926	190,950	4 35	90,733,611	235,411	2 59
Jefferson.....	8	108,238,977	287,260	2 65	107,684,311	303,834	2 82	219,072,736	603,467	2 75
Madison.....	8	266,246,514	294,975	1 10	255,105,106	1,855,446	7 27	526,764,049	2,191,660	4 16
Monroe.....	8	178,649,964	629,946	3 52	188,437,779	2,492,535	13 22	378,328,274	3,229,787	8 58
Adams.....	4	97,818,054	332,953	3 40	97,264,000	513,829	5 28	201,488,077	885,374	4 39
Jackson.....	8	255,182,775	1,412,387	5 53	223,546,049	2,306,236	10 31	500,081,747	3,761,111	7 52
Van Buren.....	4	129,948,548	392,328	3 01	137,094,438	2,899,653	21 15	285,337,949	3,343,792	11 71
Harrison.....	4	116,736,004	429,981	3 68	109,187,401	1,133,242	10 37	244,590,156	1,565,903	6 40
Tyler.....	4	201,857,508	18,109	08	205,194,700	1,712,169	8 34	423,913,687	1,732,851	4 08
Polk.....	4	211,908,612	276,270	1 30	194,370,493	1,485,192	7 64	432,861,676	1,814,409	4 19
Taylor.....	4	282,179,829	213,001	75	285,638,875	1,674,852	5 86	608,257,815	2,167,982	3 56
Filmore.....	4	312,359,679	194,003	62	328,183,268	2,292,825	6 98	697,560,870	2,659,107	3 81
Pierce.....	4	4,670,460,137	508,593	70	4,667,457,921	6,599,022	1 41	9,386,637,144	7,200,984	76
Buchanan.....	4	4,042,316,438	2,562,721	63	3,891,576,259	1,889,641	48	8,014,908,984	4,619,599	57
Lincoln.....	4	5,318,698,324	1,189,139	22	5,287,604,645	1,138,541	21	10,442,922,583	2,622,478	24
Grant.....	8	1,728,979,907	None...	None	1,557,034,964	1,383	00	3,353,629,855	2,676 <sup>8</sup>	10 mill
Hayes.....	2	18,024,115,418	8,994,375	49	17,634,620,963	28,527,857	1 61	36,317,639,725	38,887,568	1 07
Prior to Jun. 30 '61		2,263,660,610	4,734,020	2 09	2,230,947,173	18,899,268	8 47	4,719,481,157	24,441,829	5 17
J'y 1 <sup>st</sup> to Jun. 30 '79.		15,760,454,807	4,260,355	27	15,403,673,790	9,628,589	62	31,598,158,567	14,445,739	46

\*Including all other amounts collected or disbursed, and the losses thereon.

1. In the cases where the accounts of officers embraced more than one period, the losses, unless known to have occurred in other periods, have been charged to the periods in which the accounts were opened in this Department. In cases of defaulting banks, however, for want of other information, the losses have been charged to the periods in which they are reported on the books, though, doubtless, in several instances, they actually occurred in previous periods.

2. No deductions have been made for amounts which may be collected hereafter, though a large percentage of the recent losses will doubtless be yet recovered.

3. In preparing this statement, the receipts and disbursements since June 30, 1843, have been classified by fiscal years, as in the published official reports; the losses have in all cases been classified by calendar years, it not being practicable to separate the losses occurring in the fractional years of each period; but the periods compared being of the same length, the result is substantially correct.

4. In making this revision no credits have been allowed for moneys collected on balances due previous to 1869, being small in amount, and the period of credit ascertainable only with much labor.



**\$748,831,071.01 the Aggregate Amount Collected in Six Years from Internal Revenue—Cost of Collection only 3 6-10 per cent.—The Whole Collected Without the Loss of One Dollar to the Government — A Success Unparalleled in the History of Civil Government.**

In his official report, dated July 26, 1882, and addressed to the Secretary of the Treasury, Hon. Green B. Raum, Commissioner of Internal Revenue, states :

SIR: I have the honor to report that the annual examination of the offices of the 126 collectors of internal revenue throughout the United States has been completed, and that it has been found that the entire collections of internal revenue taxes for the past fiscal year, amounting to **\$146,520,273.71**, have been accounted for and turned into the Treasury. It is, further, my pleasant duty to report that, during the past *six fiscal years*, the sum of **\$748,831,071.01** has been collected from internal revenue taxation, and paid into the Treasury **without any loss by defalcation.**

The expenses of collection for the last fiscal year (including the expenses of this office) will be found, on final adjustment, not to exceed **\$5,108,300**, or less than **3 1-2** per cent. on the amount collected. The expenses of collection for the **six years** have been about **\$27,087,300**, or **3 6-10** per cent. on the amount collected. **This sum has been disbursed without loss to the Government.**

## PART II.

### **“Retrenchment, Economy, and Reform” of the Pecksniffian Democracy —From 1828.**

“Retrenchment, Economy, and Reform,” as a slogan, were early patented by the Pecksniffian Democracy. In 1828, in the House of Representatives, the partisans of Andrew Jackson, the founder of modern Democracy, raised the cry of “extravagance and fraud” against the existing national administration—that of the younger Adams. After a protracted and acrimonious debate, an investigation was ordered by the House, but Mr. Hamilton, its chairman, in his report to the House utterly fails to convict the younger Adams or his administration of either extravagance or corruption, or even to raise a presumption of either; and in history that administration stands unsurpassed by any which preceded it, or has followed, for practical statesmanship of the highest order, for incorruptible integrity, for its success in the management of the affairs of the nation, and for exalted patriotism. Nevertheless, the Democracy clamored against it, as they now clamor against the Republicans. They denounced it for extravagance and fraud. They fabricated the infamous “bargain and corruption” li-

bel against Adams and the chivalrous Henry Clay, charging that the Democracy, by Adams and Clay in the House of 1824-25, had been cheated out of the Presidency—charges which their authors subsequently confessed were not “only false” in themselves, but were “impossible to be true,” but which they clamorously urged in every vile form, and literally lied Adams down. Thus it was that the Democracy originally succeeded to power and place—*by lying and hypocrisy.*

## PART III.

### **Inauguration of Andrew Jackson, the founder of Modern Democracy—“To the Victors belong the Spoils.”**

On March 4, 1829, Andrew Jackson, pledged to retrenchment, economy, and reform, was inaugurated President of the United States. Proclaiming the maxim that “to the victors belong the spoils,” Jackson let slip the “Furies of the Guillotine” in a wholesale proscription of the old and tried officials of former administrations. John Q. Adams, in the preceding four years, had made but **12** changes—all for cause. In the preceding **40** years, all his predecessors together had made only **132** changes—of these Jefferson had removed; **62** but Jackson, in the genuine spirit of a Democratic reformer, in one year removed, it was estimated, **1,500** officials—in one year nearly **12** times as many as by all his predecessors from the beginning of the Government. The officials removed were experienced, capable, and trusty. The character of those who filled their places—“Slamm, Bang & Co.”—is attested by the “reform” which followed.

## PART IV.

### **Humiliation and Disgrace and Great Pecuniary loss the Total of Jackson's Reforms — Confession in 1839 of Democratic Minority of Harlan Commit. tee.**

After many failures to obtain an investigation into the corruptions or malpractices of Jackson's rule, all investigations into which had been systemati-

cally defeated in both Houses by Jackson's partisan friends, and the packing of committees by Speaker Jas. K. Polk, the House, in 1839, when Jackson had retired to the shades of the Hermitage, and when its awe of the President was not so great as under pugnacious Old Hickory, took the matter into its own hands, and elected a committee for the purpose, with Hon. James Harlan, of Kentucky, as its chairman. The developments were astounding—the corruption and malpractices without a parallel in our history. Thus was developed Swartwout's defalcation at New York, as collector of the port, of \$1,225,705 69 a vast sum in that day; of Price, United States district-attorney at New York, of \$72,224.06, and those of fifty of the sixty-odd receivers of public moneys from the sales of public lands in an aggregate sum of \$825,678.25. Col. Gratiot, chief engineer, United States Army, about this time also defaulted in the sum of \$50,000.

Mr. Owen, in his report from the Democratic minority of the Harlan committee, thus confesses the facts proved:

That the country has sustained great pecuniary loss, no man can doubt; that the national character has suffered deep humiliations and disgrace, no man can hesitate to admit. But losses like these are incident to all governments; no one is free from them. The annals of our own afford numerous instances of speculation, committed at every period of its short existence under all and every administration, and all and every fiscal system which has been adopted and carried into practice; no matter who has been the fiscal agent, the Government has sustained loss; it must be so until man becomes honest.—[*Reports of Committees, 25th Cong., 3d sess., Vol. 2, 1838-1839, page 284.*]

And so on throughout all the departments—in the War and Navy as in the Treasury, and the Post Office Department was bankrupt through systematic plunder.

## PART V.

### "Feculent, reeking Corruption"—A long array of Defaulters in the Mexican War—Its prodigious Expenditures and Plunder.

In 1840 these Democratic reformers were swept from office by the election of General Wm. H. Harrison as President. In 1845 they were restored to power and plunder through the election of Polk.

The Mexican War, one of the darkest scenes in our history—a war forced upon our and the Mexican people by the high-handed usurpations of President Polk in pursuit of territorial aggrandizement

of the slave oligarchy—exactd an expenditure of hundreds of millions and the lives of 25,000 of our citizens. Corruption in the government stalked unrestrained. The Eli Moores, the Purdys, the Morrises, the Patrick Collinses, the Beards, the Scotts, the Kennerlies, the Denbys, and the Wetmores—a host of pillagers, Indian agents, sub-Indian agents, contractors, disbursing officers of the army and navy, navy agents, pension agents, marshals, receivers of public moneys, commercial agents, surveyors, inspectors, and collectors of the customs—plundered their millions.

### A Democratic Senator Indignantly Denounces the Malpractices and Corruption of Polk's Administration.

In the Senate of the United States, February 11, 1847, Mr. Westcott, a Democratic Senator from Florida, indignantly declared:

I warn the Democracy of this country, the people of this country, that they do not know one-twentieth part of the corruption, the feculent, reeking corruption, in this respect, in the Government for years past. I tell the people of this country that the Government and institutions of this country have been and will be used as a machine to plunder them for office beggars, and to perpetuate the possession of political power. I solemnly believe, if the people of the United States knew the manner in which their Government was conducted, if they could all be assembled at the city of Washington, they would be excited to kick up a revolution in twenty-four hours, which would tumble the President, heads of departments, both houses of Congress, Democrats and Whigs, head over head into the Potomac; and I believe they would act right in doing so.

## PART VI.

### Mammoth Frauds of Washington "Rings" under Presidents Pierce and Buchanan—Pierce's "Outlaws of the Treasury"—The actual and proposed plunder under Pierce estimated at \$300,000,000!—Buchanan's Administration simply a continuation of Pierce's Reign of Plunder and Tyranny in Support of Slavery.

These reformers, in 1849, were again ousted from power by the election of General Zachary Taylor as President, but were again restored in 1853 through the success of the Democracy in the election of General Franklin Pierce as Chief Magistrate.



Under Pierce, Washington "rings" rejoiced in mammoth fraud in the building of the Capitol wings and in the extension of the Treasury building, and were encouraged in their pillage by Pierce's "outlaws of the Treasury." The actual and proposed plunder was immense. The aggregate amount of spoils proposed in the first Congress under Pierce was estimated at \$300,000,000!—\$120,000,000 in obedience to the decree of the Ostend conference for the purchase of Cuba; \$20,000,000 for the Gadsden purchase, and so on in like acts—all for the aggrandizement of slavery. The maladministration of the Post Office Department under Campbell, Pierce's Postmaster-General, rivaled that under Barry and Kendall. Even "the sale of letters and papers was made an item of revenue." "Bank-bills, checks, and insurance policies were sold in piles," and a Connecticut mill, buying two thousand of these, exposed the crime.

Buchanan's administration, in its vile malpractices and plunder, and its tyranny in support of slavery, was but a continuation of Pierce's. Even Hon. Roger A. Pryor, a stalwart pro-slavery Democratic member from Virginia in the House, was forced in very shame to cry out:

From the by-ways and highways of the government the rottenness of corruption sends forth an insufferable stench. Why are the people so patient? Why slumber the indignation of the Democracy?

And Mr. Winslow, who makes the report of the Democratic minority of the Covode Committee in 1860, while in effect admitting the corruptions and crimes of Buchanan's administration, pleadingly urges in extenuation:

No government has ever yet existed in which the executive branch has been able to secure everywhere faithful and trustworthy agents. In a country as extensive as is ours, it is hardly to be expected that we could be more successful than other people. We must expect occasional breaches of duty, occasional betrayal of trusts, so long as our present imperfect nature exists.

## PART VII.

### Immensely Increased Democratic Expenditures—Increased Taxation of the People to Support this System of Wholesale Corruption, Plunder, and Fraud.

Under the administration of John Q. Adams, denounced by the Democracy for "extravagance and fraud," the heaviest net annual expenditure was

\$13,296,041.45. Under Jackson, under the solemn Democratic pledges of "retrenchment and reform," the net annual expenditures suddenly doubled, even trebled those of Jackson's last year (1836), being \$37,243,214.24! Under Polk they increased to \$53,801,569.37; under Pierce to \$65,032,339.76, and under Buchanan, in 1861, to \$72,291,119.70!

The aggregate net ordinary expenditures of the younger Adams' administration was..... \$51,671,943 99  
Of Jackson's last four years..... 104,051,745 81  
Of Van Buren's four years..... 110,683,428 21  
Of Polk's four years..... 116,381,026 34  
Of Pierce's four years..... 232,820,632 35  
Of Buchanan's four years..... 261,155,809 62

The average annual net ordinary expenditures were:

Under J. Q. Adams..... \$12,917,985 99  
Under Jackson (Democratic economy)..... 26,012,936 45  
Under Van Buren (Democratic economy)..... 27,670,857 05  
Under Polk (Democratic economy)..... 25,095,256 58  
Under Pierce (Democratic economy)..... 58,205,158 09  
Under Buchanan (Democratic economy)..... 65,288,952 41

A constantly increasing scale, doubling under the wholesale plunder and corruption of Jackson and Van Buren, and closing under those of Pierce and Buchanan at five times the figures which, under the younger Adams, they denounced as evidences of extravagance and fraud.

### Analysis of the aggregates and ratios of losses under Democratic and Republican administrations.

During the seventy-two years of our Government, prior to 1861, a period mainly controlled by the Democracy, the aggregate collections and disbursements were \$4,719,481,157.63. During the period from 1861 to 1875, under Republican rule, the aggregate collections and disbursements, in consequence of the war expenses incurred through the Democracy in rebellion, reached the prodigious sum of \$25,576,202,805.52, or over five times greater under the Republicans than under the Democracy. The aggregate losses under the Democracy in the period prior to 1861 were \$24,441,329.32, or \$5.17 in every \$1,000; under Republicans the aggregate losses were only \$14,666.776.07, or only 46 cents in every \$1,000. In other words, although the aggregate collections and disbursements under the Republicans were over 11 times greater than under Democratic rule, yet the aggregate losses under Democratic reform were nearly \$10,000,000 greater than under the Republicans, and in the ratio of losses to every \$1,000 were nearly 10 times greater.

Under the administration of Andrew Jackson, that model of Democratic reform, the aggregate collections and dis-

bursements were only \$500,031,747.75; but under that of General Grant (in consequence of the war expenses incurred through the Democratic rebellion,) they reached the immense sum of \$10,842,922,583, nearly 22 times greater under Grant than under Jackson. Under Jackson the aggregate losses were \$3,761,111.87, or \$7.52 in every \$1,000. Under Grant only \$2,846,192 12—or 24 cents in every \$1,000. In other words, although the aggregate collections and disbursements under Grant were nearly 22 times greater than under Jackson, yet

the aggregate losses under Jackson were nearly \$1,000,000 greater than under Grant and in the ratio of losses in \$1,000 were over 22 times greater than under Grant. Under Van Buren the ratio of losses in every \$1,000 was nearly 49 times greater than under Grant, and in like ratio under all the administrations of Democratic reform. Under the latest, that of Buchanan, the ratio of losses in every \$1,000 was \$3 81—16 times greater than under Grant.—See table at head of chapter.

## CHAPTER VII.

### Bounties for Treason through Unlawful Claims to Ex-Confederates.

#### PART I.

#### Northern Stump Argument Proving that No Danger Exists from Rebel Claims.

Whenever the subject of "rebel claims" is introduced by a Republican in the North, the following provision of the Constitution is triumphantly quoted by his Democratic opponent:

Neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

This, the people are informed, covers every class of claims for losses incurred by citizens of the Southern States during the war, and prohibits the payment of any claims whatever to those who were disloyal to the Government during that period.

#### The Falsity of the Assumption—Red-Handed Rebels Invited to a Feast of Spoils.

That the first of these propositions is untrue, according to Democratic interpretation of the above clause of the Constitution, will abundantly appear from the millions upon millions of dollars claimed, under various pretexts, without reference to the loyalty of the claimant.

That the second proposition is untrue

is shown by the fact that the Democratic leaders in Congress hold that all tests of loyalty, so far as Southern claimants are concerned, have been abolished by the Supreme Court of the United States; and that when a Southern rebel claimant has been specially pardoned, or comes within pardon or amnesty, under general proclamation or otherwise, the said pardon or amnesty is retroactive, and is "*equivalent to affirmative proof that the party never gave aid and comfort to the rebellion,*" and therefore *never was disloyal*. See the following extract from the report of Mr. Cabell—Democrat, and ex-rebel from Virginia—from the Committee on War Claims, June 30, 1876, to the Democratic House of Representatives, on the Pickerell & Brooks claim:

The Supreme Court of the United States, in Padelford's case, 9 Wallace, p. 531, &c., holds that pardon blots out not only the offense, but all the consequences thereof, and that the recipient of the pardon stands as if he had never committed an offense; in other words, *that the proof of pardon and amnesty is the equivalent to affirmative proof under the statute of captured and abandoned property that the party never gave aid and comfort to the rebellion.*

If this interpretation of the Supreme Court decision in Padelford's case is correct, it will be readily seen that all tests of loyalty are practically abolished, and it only remains for the Democracy to get possession of the Government, when the doors of the Treasury will be thrown open, and every red-handed rebel who may choose to demand compensation for losses during the war will be invited to step in and help himself.



**Tilden's Letter and the Cabell Report—  
The Two to be Interpreted Together.**

It was in the light of the Cabell report that the following clause of Tilden's letter on rebel claims was read by the Southern people:

No claim for any loss or damage incurred by *disloyal* persons, arising from the late war, whether covered by the Fourteenth Amendment or not, will be recognized or paid. The cotton tax will not be refunded. I shall deem it my duty to veto every bill providing for the assumption or payment of *any such debts*, losses, damages, claims, or for the refunding of any such tax.

Thus did this adroit and cunning word manipulator frame a document which would bear two interpretations—one for the North, where it was believed that he opposed the payment of all these claims; and one for the South, where, it was known that he could, without inconsistency, favor the payment of any claim whatever, except, perhaps, for the loss of slaves.

**Tilden's Legal Opinion—Every Northern Soldier a Trespasser on Southern Soil—And Liable to a Suit for Trespass.**

That he could be depended upon to interpret his own words for the benefit of his Southern friends was further made evident to them by the following extract from a letter of ex-Governor Underwood, of Vermont, written about the same time:

I have known Mr. Tilden for twenty years; I have heard him declare, in conversation with myself, near the close of the war, that every man of the United States army that marched across Southern soil was a trespasser, and liable to suit for trespass! I asked him if he undertook to talk *such treason* as that, and if it was his opinion as a lawyer, that this Government could enlist men, put arms in their hands, and send them to the protection of the Government against rebels, and then furnish tribunals to try its own soldiers as trespassers—and he said that it was.—Sept., 1876.

**PART II.**

**\$2,492,899,926 Exacted by  
the Solid South as Com-  
pensation for Treason—A  
Sum Greater than the Na-  
tional Debt Demanded by  
Those who Created it—  
Northern Tax-payers In-  
vited to Foot the Bill.**

Some idea of the magnitude of the proposed raid on the Treasury may be formed by examining a few of the proposed "measures of relief" introduced in the House. The first in order is a bill

presented by Mr. Scales, of North Carolina, (H. R. 3145,) entitled "A bill to refund certain direct taxes on land collected from citizens in the late insurrectionary States under the act of August 5, 1861."

**A Demand for the Return of Taxes Paid  
by the Rebel States.**

The law of 1861 levied a direct tax of \$20,000,000, and apportioned the same among the several States for payment. All the States except those in insurrection assumed their quotas and paid them, except a small balance still due. The aggregate amount apportioned to the rebel States was \$5,153,886. Of this amount, \$2,661,776 was still uncollected when Mr. Scales introduced the bill to refund the \$2,492,100 which had been collected. The reason given for this impudent demand was that said taxes "were taken from a people greatly impoverished by the war." It never seems to have occurred to these claimants that the people of the North had not only paid the bulk of the assessment of \$20,000,000, but had mortgaged their property and pledged their sacred honor for two thousand six hundred millions more, and gave the priceless lives of half a million of their bravest sons to save the Union from destruction by those who are now clamoring for this relief.

**A job to put Sixty-eight Millions of  
Dollars into the pockets of Lobbyists.**

The next "measure of relief" in order is the cotton-tax job—a scheme to refund the tax collected on raw cotton in the Gulf States during the years 1865-'66-'67. The aggregate amount of this tax is \$68,072,088.

Ostensibly the bill (H. R. 232) proposes to "refund the tax to the parties who actually produced the cotton," but in fact it is a gigantic job of lobbyists and speculators who have got the great bulk of the claims into their own hands by agreeing to pay a trifling per cent. on their face value if they succeed. Their success depends upon their ability to place Congress in the hands of the Democracy.

**The Southern Claims Commission—Loy-  
alty the Test—Perjury the Practice.**

But there is another class of demands compared with which the foregoing may be considered in the light of luxuries. These comprise the rebel losses during the war.

Under an act of Congress, approved March 3, 1871, the "Southern Claims Commission" was created and empowered to "receive, examine, and consider the justice and validity of such claims as should be brought to them of those citizens who remained loyal adherents

to the cause and the Government of the United States in States proclaimed as in insurrection against the United States during the rebellion."

It will be observed that this law confines claims exclusively to "loyal adherents," &c., signifying that the Government holds itself responsible to no others for losses sustained by the war. But, judging from the number of claims presented before this tribunal, and the hard swearing by which they were sought to be sustained, the bulk of the property-owners in the South must have been intensely loyal during the whole war.

In the two years allowed in which to present these demands, 22,298 claims were filed, representing an aggregate of \$60,258,150. The gross amount of perjury committed in order to prove the "loyalty" of many of the claimants is something appalling.

**When Perjury is unsafe a Democratic Congress called into requisition—A Tribunal where Disloyalty commands a Premium.**

But what becomes of the hundreds of thousands of other claimants who have not ventured to appear before an "iron-clad" commission and swear to their loyalty? Before what "commission" are they to obtain redress? Their own practical answer to this is to elect a tribunal of their own, consisting of a Democratic Congress—a tribunal where disloyalty is sure to command a premium.

The files of the House show how promptly they have availed themselves of this tribunal. Scores and scores of claims are presented without a suggestion of "loyalty" as an excuse for the demands.

The aggregate of these claims presented to the 44th Congress was \$1,582,269.

The aggregate of similar claims presented to the 45th Congress was \$6,757,793.

It has been estimated that in addition to the above it will require for "blanks"—that is bills calling for sums not ascertained at the date of their presentation—at least \$3,500,000.

The aggregate of the foregoing claims, however monstrous they may appear, is a mere bagatelle when compared to the sums provided for by two bills introduced in the House—one by Mr. Wiltshire, of Arkansas, and the other by Mr. Riddle, of Tennessee.

The first named is as follows:

**A Bill to Abolish all Tests of Loyalty—All Rebels Invited to Help Themselves at the Treasury Vaults, and Call in their Neighbors—Southern Courts**

**and Juries to Assess Damages for Rebel Losses, and Uncle Sam to Foot the Bill.**

A Bill to facilitate the adjustment and settlement of claims of citizens of the United States for stores and supplies taken or furnished during the rebellion for the use of the Army of the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all citizens of the United States having claims against the United States for stores or supplies taken or furnished during the rebellion for the use of the Army of the United States, including the use and loss of vessels or boats while employed in the military service of the United States may institute suit against the United States for the adjustment and recovery of such claims in the district court of the United States for the district in which such stores or supplies may have been taken or furnished, or such vessels or boats may have been used or lost. And the district courts of the United States for the several judicial districts within which such stores or supplies may have been taken, as aforesaid, and vessels or boats may have been used or lost, as aforesaid, shall take and exercise jurisdiction in all cases for claims brought in said courts under the provisions of this act, without regard to the amount claimed.

This bill would refer each batch of claims to the citizens of the neighborhood that was despoiled, abolish the Southern Claims Commission and all tests of loyalty, and pay damages assessed by juries out of a general appropriation. In estimating the amount required to pay claimants under this bill, the spirit of economy and reform which actuates the average Southern jury must not be overlooked.

**Another Bill to Abolish Tests of Loyalty—A Bill to Enable one Rebel to Swear Another Rebel's Claim Through—A General Interchange of Perjury among Neighbors would Secure Pay for Everything.**

Mr. Riddle's bill is as follows:

A Bill directing compensation to be allowed for the use and occupation of property by the United States Army during the late war.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to allow reasonable compensation to all citizens of the United States for the use and occupation of their property by the United States Army, or any part thereof, during the late civil war, in the same manner and under the same regulations as compensation is now allowed for quartermaster stores used by said Army; Provided, however, That the affidavit of the claimant, supported by the competent testimony of any reputable citizen, shall be sufficient proof to establish the fact of the use and occupation of such property by said Army. But it is not the intention of this act to limit the parties to the amount of proof herein specified; but other and additional testimony may be taken to establish the fact of the use and occupation, and the rental value of the property occupied.

This bill not only discards the idea that loyalty has anything to do with war claims, but makes one oath by a



rebel sufficient to effectually establish a claim. Nor is there any limit to the "stores and supplies taken or furnished" short of the entire amount, whatever that may be. It means in effect that the Government shall pay for every head of cattle, every bushel of corn or other grain, every pound of meat, flour, meal, and commissary stores and quartermaster's supplies of every kind whatever, foraged, used, or destroyed by our soldiers during the war!

#### **The Grand Aggregate enough to Bankrupt the Government.**

And what would be the grand aggregate of claims accruing under these wholesale raids upon the Treasury? A reasonable estimate may probably be reached by taking the 22,298 sworn loyal claimants as a basis. The total amount claimed by this class, as appears in the preceding pages, is \$60,258,150, making the average value of each claim \$2,702.40. It will not be regarded as extravagant to say that the number of disloyal claimants South stand as forty to one loyal, and using the same average value of \$2,702.40 per claim, as above, the total to be appropriated on account of these two bills alone would swell to the sum of \$2,410,326,000.

#### **Recapitulation.**

Direct tax .....	\$2,661,776
Cotton tax .....	68,072,088
Special relief bills .....	8,340,062
Lowest estimate for blanks.....	3,500,000
Use and occupation of property, (see Riddle's bill) .....	1,205,163,000
Supplies used or destroyed (see Wiltshire's bill)....	1,205,163,000
Grand total of Southern claims.....	2,492,899,926

In round numbers, an amount equal to the national debt at the close of the war.

### **PART III.**

#### **"Justice and Right" the basis of Rebel Demands—Rebel Claims a "Part of the war debt of the Nation" and must be paid, or—**

In a speech on Southern claims, delivered in the House, May 1, 1878, Mr. Hayes, of Wisconsin, said:

Having shown the magnitude of these claims, I wish to say that the general sentiment through-

out the South is that those claims ought to be paid.

Why, sir, the idea that the Government owes and ought to pay all damages occasioned by the war throughout the South is so firmly imbedded in the Southern mind that it will take several generations to root it out. No man, I care not how great his ability, can be a leader among the Southern people unless he openly indorses this idea. There is not a Southern gentleman on this floor who would not be overwhelmingly defeated at the coming election if he should dare to stand up here and declare that these claims ought not to be paid. \* \* \* No man can be elected to any office in that section who dares to proclaim himself opposed to paying these Southern claims. Men who expect to succeed politically must be in harmony with their people in this respect. \* \* \* They hold to the idea that the Government is under obligation to pay them. They go so far as to declare that the claims for captured and abandoned property, and for private property taken by the Union army in the way of supplies, constitute a *part* of the war debt of the nation.

#### **Judge Bartley's legal demands in behalf of Rebels—The obligation to Pay rebel claims more sacred than the bonded debt of the nation; and as valid a lien on the Treasury.**

Indeed, Judge Bartley, whose little pamphlet was distributed so freely among members of this body a few days ago, argues that the property taken for the subsistence of the Union Army saved the Government from raising money on the sale of its bonds in the sums represented by the value of the property seized and used, and that the claims for the payment for this property are as just and as valid a lien upon the Treasury as the bonded debt itself. In fact, he thinks they should take precedence of the bonded debt in equity, because that debt draws interest, while the claims do not. The Judge presents his case in the strongest light possible, and closes his pamphlet of twenty pages with the following significant paragraph:

"The foregoing views are expressed on mature consideration from a sense of duty to several hundred citizens of Mississippi, Louisiana, Arkansas, and Texas, represented by the undersigned as their counsel. The positions assumed can and will be maintained, and cannot be successfully controverted in or out of Congress. If the plain language used is expressive of some feeling, it arises simply from a deep sense of the wrong and injustice done to injured parties, and is not intended to be discourteous, but in all due deference and respectful regard for the public authorities."

#### **Foard's Pamphlet—No way to heal Rebel wounds like paying Rebel Claims—A never failing cure—Try a sample.**

Only a few days ago I received a pamphlet written by Dr. J. F. Foard, of North Carolina, in which the writer discusses this subject at some length, declaring that the Government should pay these claims as a matter of justice and right. After devoting several pages to setting forth the losses sustained by the Southern people, he uses these words: "The easiest and best way to heal them"—the wounds made by the war—"is to compensate those who lost so much in the conflict." In a subsequent chapter he says:

"Let us go at this work promptly, earnestly, and honestly, that it may be as a monument of truth and justice, erected in the hearts of our children to remind them of the importance of national honor, peace and good will."

**A demand for pay for all losses on both sides—Lost time, lost limbs, and lost lives to be paid for—Foard is generous to a Fault.**

The last page of Foard's book contains a form of a memorial to Congress petitioning that body for the passage of a law granting pay for all property destroyed by the "governments and armies of both sides" during the late war between the States;" and also for pay for "lost time, limbs, and lives," of all soldiers of "both armies and every section." All interested are invited to "co-operate" "in the great work" by signing the memorial, procuring signatures, and forwarding them to Congress.

It may be added that this particular "great work" is temporarily suspended, awaiting the election of a Democratic Congress.

**More about Judge Bartley—Amnesty restores all Rights—Remits all sins.**

Judge Bartley, in his little pamphlet above alluded to, further says:

"The pardon and amnesty which was granted contained an express pledge for the restoration of *all rights of property*, except as to slaves. \* \* \* The pardon was a remission of all punishment, and also a pledge of the public faith for the restoration of all rights."

**Judge Bartley's Relations with Hancock—The Significance of his opinions—Hancock's right bower.**

The significance of Judge Bartley's sweeping utterances in favor of the payment of all Southern claims without reference to the loyalty of the claimant can be better appreciated when it is known that he was the great original Hancock man; that he advocated Hancock's nomination long before he was seriously thought of by the party generally; that months before the convention met, the *N. Y. Herald* and other papers were filled with Judge Bartley's communications urging the nomination of Hancock; that he was the head and front of the Washington coterie of Hancock's confidential friends; that Hancock owes his nomination more to the secret management and shrewd wire-pulling of Judge Bartley than to all other causes combined; and finally that, if Hancock had been elected, Judge Bartley would have had a seat in the Cabinet. The effect of such a state of affairs on the Southern claims question can readily be imagined.

## PART IV.

**How Rebel Claims Grow—Fecundity of Rebel mules**

## —Esthetic Fence Rails and expansive Pork.

It will be seen by the foregoing, that Judge Bartley holds that the Southern claims should take precedence of the bonded debt of the United States, in equity, for the reason that that debt draws interest, while the claims do not.

It may be true that the claims do not draw interest, but it is a well known fact that they have a way of growing in magnitude, which beats the most usurious interest known to history. They are cancerous, and of ceaseless malignity in growth. Here is a specimen.

Claim No. 3,107.—(Before the Claims Commissioners and disallowed.)—Jan. 18, 1875—Referred to the Committee on War Claims, and ordered to be printed. Marie P. Evans, of Orleans Parish, Louisiana. Total amount claimed in original petition, \$272,590; in amended petition, \$493,355.

Here are specifications, as follows:

No. 1. 825 hhds. centrifugal sugar, of average weight of 1300 lbs. net per hhd., being 1,072,500 lb. at 25c, per lb.	\$268,125
No. 2. 400 bbls. golden syrup (molasses), at 40 gallons per bbl., making 16,000 gallons at \$1.50 per gallon.	24,000
500 bbls. sugar-house molasses, at 40 gallons per bbl., making 20,000 at \$1.	20,000
No. 3. 1,000 empty bbls. at \$2.	2,000
No. 4. 3,000 cords of dry wood at \$5.	15,000
No. 5. 62 mules at \$200.	12,400
No. 6. 15 wagons at \$150.	2,250
No. 7. 3 carts at \$75.	225
No. 8. 3 drays at \$75.	225
No. 9. 3 gas tanks (iron) at \$100.	300
No. 10. 26,600 bushels corn (in ear) at \$1.	26,600
No. 11. 374 tons fodder (corn blades) and hay at \$25.	9,350
No. 12. 5 horses at \$200.	1,000
No. 13. 5 bbls brandy at \$400.	2,000

The number of the items is thirty-two; of these, No. 31 is for 145,000 fence rails, made of the most beautiful and expensive timber in the world, no doubt. The only thing that should surprise us in the bill of particulars is that the sixty-two mules were not put at \$1,000 each. The moderation of the claimant has not, however, been appreciated, for the claim is in the list of the disallowed. The first time it was presented the sum total was but \$272,590. The amended petition is for \$493,355. The effect of not paying in the first place is seen in the growth of 500 hogsheads of sugar in the first claim to 1,109 hogsheads in the second, while the price of the sugar expanded from \$200 per hogshead to \$325 per hogshead. The 800 cords of wood alleged, in the bill of particulars of 1871, to have been taken, grew to 3,000 cords in 1873. Forty mules, at \$150 each, had multiplied to 62 mules at \$200 each. Five thousand bushels of corn were developed into 26,600 bushels; 500 pounds of bulk pork in 1871 grew to 5,000 pounds in 1873.



**What 20 Acres can produce when fertilized by perjury, with a sub-soil of Fraud—A Democratic House Committee recommend the payment of a Claim rejected by the Southern Claims Commission for Fraud.**

Another specimen of a similar character is the claim of Mrs. Eliza Heber, presented in 1873 before the Southern Claims Commission, for losses and damages to her plantation at or near Indian Village, Louisiana, while occupied by the troops of General Payne. Here is the bill:

8,000 bbls. corn, \$1.50 per bbl.....	\$12,000
100 chickens, at \$1 each.....	100
200 turkeys, at \$2 each.....	400
30 hogs, at \$10 each.....	300
8 oxen, at \$50 each.....	400
5 horses, at \$160 each.....	800
4 mules, at \$125 each.....	500
Unknown quantity of lumber, consisting of hogshead staves, pickets and posts.....	5,000
500 cords of wood, at \$6 per cord.....	3,000
Making a total of .....	22,500

The Commission sent an agent to the spot to investigate. He reported that the claim was fraudulent, and the claimant took no further steps to prosecute the matter before the commission. But when the Democracy obtained possession of the House Mrs. Heber came up smiling and presented to that body the following list:

8,000 bbls. corn, at \$2.50 per barrel.....	\$20,000
3,500 cords of wood, at \$4 66 $\frac{2}{3}$ per cord.....	7,000
1 lot of lumber, staves, pickets, &c.....	10,000
1 pair carriage horses, at \$500 each.....	1,000
3 riding horses, at \$300 each.....	900
4 mules, at \$300 each.....	1,200
30 hogs, at \$30 each.....	900
5 choice milk cows.....	375
20 head of cattle.....	500
1 lot of poultry.....	100
Fencing and plantation destroyed.....	6,000
Total.....	47,975

That she had struck the right place this time was proved by the fact that during the second session of the 45th Congress, John W. Caldwell, from the Committee on War Claims, in the House, to which committee this claim has been referred, submitted a report to accompany House bill 3393, saying "that Mrs. Eliza Heber should be paid as full compensation for all her claims for the property and supplies taken and used as aforesaid the sum of \$23,150," and the committee reported a bill for that purpose, and recommended its passage.

However, the fictitious character of the bill became known to Secretary Sherman and he dispatched an agent to investigate. The report showed that Mrs. Heber never had more than 40 acres of land, one half of which was not susceptible of cultivation, and that the claim was utterly fraudulent. General Payne said that he was in command of less than 2,000 infantry, and

was encamped only two weeks in the vicinity of the claimant. He said that it would have been an utter impossibility for his men in the warm climate of Louisiana to have burned 1,500 cords of wood, or to have consumed 20,000 bushels of corn.

The bill awaits the election of another Democratic House.

## PART V.

### **A Brief Review of some of the Rebel Claims—Direct Tax—Cotton Tax—Special Relief—Destruction of Property—Compensation for Slaves—Rebel Mail Contractors, &c.—They Already Reach Three Thousand Millions of Dollars—"Where will it end?"**

In a letter as late as October 31, 1873, but published, we believe, in 1876, R. M. T. Hunter, of Virginia, a United State Senator from that State prior to the rebellion, elaborates a plan by which the old slaveholders may evade the prohibitory clause of the Fourteenth Amendment respecting indemnity for slaves liberated by the war.

#### **How Hunter proposes to Get Around the Fourteenth Amendment and Reimburse the old Slaveholders for the Loss of their Slaves—\$400,000,000.**

Hunter's sagacity is only equalled by his loyalty. The fourteenth amendment abolishes an "institution" of the Confederacy. It expels the last vestige of slavery from its soil and prohibits all compensation for slaves freed by the war. But the astute Hunter discovers that the prohibitory clause is unconstitutional, and therefore nugatory; that the slaves were private property; that their forcible emancipation was in the nature of seizing that property for public use without compensation, that the claim is in the individual owner; that the States, in the ratification of the fourteenth amendment, had no power or right to divert it; and that consequently the owners of that property under the Constitution have valid or *bona fide* claims for reasonable compensation—to wit, \$400,000,000.

#### **Maryland formally asserts her claim for such compensation—Other slave**

**States have official lists of slaves, only awaiting Democratic ascendency.**

But a discovery so sagacious was not original with Hunter. As early as 1867, in the Maryland constitutional convention, he was anticipated by the equally sapient conventionists. They formally asserted the claim under the constitution. They authorized the Legislature of Maryland to receive and dispose of the amounts due to their old slaveholding citizens when paid by the United States, and notoriously, in that as in other of the old slaveholding States, lists of the slaves emancipated have been prepared, and the claims covering their value only await for their payment the harvest of wholesale plunder when the Democracy shall pass into power.

**The "Missouri Climax of rapacity"—Claimants furnished official certificates of losses by rebel raids—Democracy, when in power, will pay them.**

But in Missouri the climax of rapacity in proposed plunder has been reached. It is, however, only preliminary—only a precedent—for further wholesale or general spoliation. In Missouri, a State commission has investigated and official certificates have been awarded to all claimants for compensation for losses incurred or supplies taken by the rebel forces which overran its territory; and these certificates, as the claims for indemnity for slaves, only await the success of the Democracy to be promptly honored by the government.

**Bills already introduced in Congress as precedents for these Monstrous claims.**

Indeed, as precedents for their payment, two bills, in the Forty-fourth Congress, were introduced by Messrs. Knott, of Kentucky, and House, of Tennessee, appropriating small amounts for property and supplies seized by the rebel forces, and if they are hereafter passed or recognized by Congress, and should the nation be again inflieted with a Democratic administration, Missouri and every State South will realize the prodigious amounts these claims will involve.

## PART VI.

**The Southern Mail Contractors' Fraud—An attempt at Wholesale Robbery by Southern Statesmen, by means of barefaced False-**

## hood—How Congressman Willits stopped the Steal.

Up to 1877, the people of the North felt a sense of security from the machinations of Southern claimants, defended as they were by the following section of the Revised Statutes:

SECTION 3480. It shall be unlawful for any officer to pay any account, claim, or demand against the United States which accrued or existed prior to the 13th day of April, 1861, in favor of any person who promoted, encouraged, or in any manner sustained the late rebellion, or in favor of any person who, during such rebellion, was not known to be opposed thereto, and distinctly in favor of its suppression; and no pardon heretofore granted, or hereafter to be granted, shall authorize the payment of such account, claim, or demand, until this section is modified or repealed. But this section shall not be so construed to prohibit the payment of claims founded upon contracts made by any of the Departments, where such claims were assigned or contracted to be assigned prior to the 1st day of April, 1861, to the creditors of such contractors, loyal citizens of loyal States, in payment of debts incurred prior to the 1st day of March, 1861.

### An Amendment Rushed Through.

On the last day of the Forty-fourth Congress, however, in a moment of Republican triumph over the fraudulent attempt to seat Tilden in the Presidential chair, and in a spirit of magnanimity, the following amendment to the above act was allowed to go through under a suspension of the rules:

That the sum of \$375,000, or so much thereof as may be necessary, be appropriated to pay the amount due to mail contractors for mail service performed in the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Texas, Tennessee, Virginia, and West Virginia, in the years 1859, 1860, and 1861, and before the said States respectively engaged in war against the United States; and the provision of section 3480 of the Revised Statutes of the United States shall not be applicable to the payments therein authorized. *Provided, That any such claims which have been paid by the Confederate States Government shall not be again paid.*

**A Hungry Horde of Perjurors rush upon the Treasury—Sherman's adroit move to circumvent the Thieves.**

Instantly upon the passage of this act a horde of hungry claimants rushed to the Treasury and demanded a settlement of their accounts. Secretary Sherman, however, suspected fraud, and with characteristic caution decided that "no money be paid out of this appropriation until the whole of the claims are received and adjusted, and if the appropriation is insufficient they should then be paid *pro rata*."

**Reagan's Rage—He overreaches himself.**

This amounted to a prohibition of any payment at all, for the reason that



many of the claimants had died in the service of the rebellion, and their families, if they had any, were scattered. Time for investigation was thus gained, but the exasperation of the ex-rebels knew no bounds. They did not propose to submit, and accordingly Mr. Reagan, of Texas, ex-confederate Postmaster-General, introduced a joint resolution, and on the 16th of November, 1877, it was reported back, in the following words:

*Resolved, etc.,* That the Secretary of the Treasury shall begin at once to pay in full to the late mail contractors of the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Texas, Tennessee, Virginia, and West Virginia, their heirs or legal representatives, the amounts due under their respective contracts for the years eighteen hundred and fifty-nine, eighteen hundred and sixty, and eighteen hundred and sixty-one, and the appropriation of three hundred and seventy-five thousand dollars, made by act approved March third, eighteen hundred and seventy-seven, shall be immediately available for said payments; *Provided*, That payments shall be made for services rendered up to May thirty-first, eighteen hundred and sixty-one, when discontinuance was ordered by the Postmaster General, and not thereafter; and the provisions of section thirty-four hundred and eighty of the Revised Statutes of the United States shall not be applicable to the payments herein authorized. All acts and parts of acts inconsistent herewith are hereby repealed.

#### The Fraud Exposed.

A comparison of this resolution with the act of March 3, 1877, above quoted, develops two important facts, viz:

1. That it was sought, by this resolution, to change the law in regard to time, by substituting "for services rendered up to May 31, 1861," in place of "before said States respectively engaged in war against the United States."

This, as was subsequently shown by the celebrated speech of Hon. Edwin Willits, of Michigan, delivered in the House March 8, 1878, greatly extended the time and vastly increased the amount of the claims which the law was intended to recognize. For instance, the South Carolina contractors, that State having seceded December 20, 1860, would receive, by the terms of Reagan's resolution, pay for five months and ten days more of service than was provided for by the law of March 3, 1877—five months and ten days of service rendered to the rebel government.

2. The second important fact is that in the resolution the proviso contained in the law was omitted entirely. And thereby hangs a tale.

#### Reagan commits himself at large.

During the debate on the resolution on February 15, 1878. Mr. Reagan said:

The gentleman from Indiana [Mr. Hanna] asks me if the bill now before the Committee of the Whole is the same as the one that was passed

at the last session of Congress. As I remember, it is the same with *one exception*, to which I may as well refer. That bill contained a clause providing that these claims should be paid except in cases where they had been paid by the Confederate government. I do not remember the exact language, but that is the purport of the exception. In the preparation of this joint resolution those words were omitted because *I knew there was no necessity for them*.

This in the face of the patent fact that two very important changes had been made, as above noted. Again, in the same debate, in response to questions as to whether the Confederate government had paid any of these claims, Mr. Reagan said:

At the same time by proclamation these postmasters and contractors were directed to settle their accounts with the Government of the United States up to the 1st day of June, 1861, and to pay over to the United States the *money* in their possession and to return to the United States the postage stamps of which they were possessed up to the date when the Confederate government took charge of the service. \* \*

Now, upon the point that the Confederate government has not paid these claims I will state that the Confederate government *only undertook to pay for the service from the time it took charge of it*, on the 1st day of June, 1861, and it had nothing whatever to do with the *payment for services rendered previous to that date*.

#### Again he said:

I stated that under that same proclamation the postmasters of the Confederacy were all required to settle up their accounts with the Federal Government to the 1st day of June, 1861, and pay over the *money due* to the Government and return all postage-stamps due to the Government. \*

How fully these settlements were made I do not know. There was time to make them, and many were made. The Confederate government *never received or collected one dollar* due from the receipts of the Post-Office Department or postage stamps, and they *never paid a dollar to a contractor which had become due* before the 1st day of June, 1861; but they required all postmasters to turn over the entire amount of *money received by them up to that date*, and the contractor who claimed that money was due for postal service up to that date, over to the United States Government.

Thus Mr. Reagan, in his capacity of ex-Postmaster-General of the Southern Confederacy, fully committed himself. He did not know that his own reports on this subject were among the rebel archives stored in Washington. Messrs. Conger and Willits did know that fact.

The debate for the day ended, and was not resumed till March 8, 1878. Meantime the rebel archives were searched, and Mr. Willits prepared himself for the speech which defeated the resolution, showed Mr. Reagan in his true light, and did more to open the eyes of the North to the fraudulent character of Southern claims generally than anything that had occurred for years before.

**Willits punctures the Great ex-Rebel Cabinet Minister, Shakes his own reports in his face, and proves his state-**

ments to be Untrue in every essential particular.

The facts discovered in Reagan's own reports were, in brief, as follows:

In proclamations, dated respectively Montgomery, Ala., May 13 and 20, 1861, and signed by "John H. Reagan, Postmaster General," all postmasters, route and special agents, all mail contractors, mail messengers, and special contractors are required to retain in their possession, and turn over to the *Confederate Postmaster General*, the said John H. Reagan, for the benefit of the *Confederate States*, all revenue or moneys which shall have accrued from the postal service of the United States prior to the 1st of June, 1861—all mail-bags, locks, and keys, marking and other stamps, blanks for quarterly returns of postmasters, and all other property belonging to or connected with the postal service.

In a statement of Auditor Baker, of the Confederate Post Office Department, of October 1, 1862, the aggregate of these claims of contractors for mail services prior to May 31, 1861, is given as \$773,444.17. By Confederate laws, approved respectively August 30, 1861, January 23, 1862, and September 27, 1862, these claims are assumed by the Confederate Government, \$800,000 are appropriated for their payment, and contractors were required, in receiving their payments, to agree that if the United States should ever pay them anything for these services they should refund it to the Confederate government.

All these facts, so violently in conflict with Mr. Reagan's statements in the House, are fully verified by his own several reports as Confederate Postmaster General up to that of May 2, 1864—the last which could be found—with the further fact that at that date, of the claims for which he is now urging an appropriation of \$375,000 by the United States, he had himself paid \$564,544.22, and the presumption that during the remaining eleven months of the Confederacy every dollar of them had been paid.

Mr. Willits concluded his speech as follows:

It is proved beyond question that the Confederate government did undertake to pay these claims, did appropriate \$800,000 for that purpose, and that they were audited and largely if not entirely paid by or under the supervision of the gentleman from Texas himself. It is clear that the striking out of the proviso to the act of March 3, 1877, would very materially change the terms and scope of it. I have no comments to make on how it came to be stricken out. I make no charges. I impugn no man's motives, much less those of the gentleman from Texas; I simply state the facts as I find them, and leave thus the whole subject to the considerate judgment of this House and the country.

Thus it was proved that the resolution was conceived in fraud, and brought forth by the very man, of all others, whose business it was to know the true character and effect of the measure.

It is charity to suppose that Mr. Reagan did not know that his statements made on the 15th of February were false; but whoever indulges in that charity must do so at the risk of his reputation for common intelligence.

#### The Bill Squelched.

On the 16th of March, 1878, the resolution was reported back to the House from the Committee of the Whole with

the enacting clause stricken out. The previous question was demanded and seconded and the main question ordered—the question being upon agreeing to the report. A motion was made to reconsider the vote by which the main question was ordered, which motion was disagreed to by the following vote:

YEAS—Messrs. Aiken, Atkins, H. P. Bell, Blackburn, Biss, Bove, Bridges, Brozden, J. W. Caldwell, W. P. Caldwell, Chalmers, J. B. Clarke, Cook, S. S. Cox, Cravens, C. Henden, Culberson, Dibrell, Durham, Eden, Elam, Ellis, Ewing, Filton, Forney, Franklin, Garth, Gause, Gibson, Giddings, Glover, Goode, Gunter, H. R. Harris, J. T. Harris, Harrison, Harbridge, Hinkle, Henry, G. W. Hewitt, Herbert, Hooker, House, J. T. Jones, Kinnell, Knott, Lizon, Martin, McKenzie, Money, Morgan, Morrison, Muldrow, Quinn, Rae, Reagan, Riddle, W. M. Robbins, Roberts, Seales, Schleicher, Shelly, W. E. Smith, Springer, Steele, Thornburgh, Throckmorton, Tucker, N. B. Vance, Waddell, G. C. Walker, Walsh, Whithorne, J. N. Williams, A. S. Willis, B. Wilson. Yeates, Young—78.

NAYS—Messrs. Aldrich, Bacon, G. A. Bagley, J. H. Baker, W. H. Baker, Ballou, Bayne, Benedict, Bicknell, Bisbee, Bonch, Boyd, Rragg, Brentano, Brewer, Briggs, T. M. Browne, Bundy, H. C. Burchard, Burdick, Cain, Camp, J. M. Campbell, Cannon, Caswell, Clafin, R. Clark, Cobb, Cole, Collins, Conger, J. D. Cox, Cummings, Cutler, Danford, H. Davis, Deering, Denison, Dunnell, Dwight, Eames, Errett, J. L. Evans, E. B. Finley, Fort, Foster, Frye, Fuller, Gardner, Garfield, A. H. Hamilton, Hardeburgh, B. W. Harris, Hart, Hartzell, Haskell, P. C. Hayes, Hazleton, Henderson, A. S. Hewitt, Hubbell, H. L. Humphrey, Hungerford, Itueer, James, J. S. Jones, Joyce, Keifer, Keightley, Kelley, G. M. Landers, Lapham, Lathrop, Lindsey, Loring, Matsh, Marsh, Mayham, McCook, McKinley, McMahon, Mitchell, Monroe, H. S. Neale, Norcross, Oliver, O'Neill, Page, G. W. Patterson, T. M. Patterson, Phelps, W. A. Phillips, Pollard, C. N. Potter, Pound, Price, Randolph, Reed, J. B. Reilly, W. W. Rice, G. D. Robinson, M. S. Robinson, Ryan, Sampson, Sapp, Shallenberger, Sinnickson, Smalls, A. H. Smith, Starni, Stenger, Stewart, J. W. Stone, J. C. Stone, J. M. Thompson, Tipton, R. W. Townsend, Van Vorhes, Veeder, Wait, Warner, Watson, Welch, M. D. White, A. A. S. Williams, C. G. Williams, J. Williams, R. Williams, Willits, Wren, Wright—131.

Whereupon the report was agreed to without a division, and the bill was dead.

The above vote shows two Democrats (from Southern and border States) voting yea, and 102 Republicans voting nay, while 76 Democrats voted yea, and only 29 Democrats voted nay.

Thus, by the admission of one flash of the sunlight of truth, was defeated a bill which was but the entering wedge for thousands of similar claims, involving millions of money—claims which, like nine-tenths of all Southern demands upon the National Treasury, were founded upon fraud and supported by deliberate falsehood and perjury.

#### The Senate Tries its Hand.

A subsequent attempt was made in the Senate to force this bill through by tacking it to the Sundry Civil Bill. With some modifications it passed that body, but was dropped in the Committee of Conference. The Democrats vot-



ed solidly for the bill, and the Republicans voted solidly against it, with the exception of Bruce, Christiancy, Conover, and Kellogg.

## PART VII.

### Another Entering Wedge— The William and Mary College Steal.

Another "entering wedge" consisted of the following bill, introduced in the House by Mr. Goode (Democrat), of Virginia, on the 29th of October, 1877:

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the college of William and Mary, in Virginia, the sum of \$65,000 out of any moneys in the Treasury not otherwise appropriated, to reimburse said college for the destruction of its buildings and other property destroyed without authority by disorderly soldiers of the United States during the late war; *Provided,* That no moneys be so paid except upon accounts of such destruction, and the damage caused thereby, duly verified and proven.

The bill was referred to the Committee on Education and Labor, the object being, as was afterwards developed, to conceal, as far as possible, its true character of a Southern "war claim."

On December 5, 1877, it was committed to the Committee of the Whole, accompanied by a report setting forth a statement to the effect that the building of the College of William and Mary was burned by "drunken and disorderly soldiers of the United States."

The bill was debated at considerable length and it became evident that the ex-Confederates were determined to force it through.

#### Alarm of the Northern Democrats.

The Northern Democrats, in view of the approaching Congressional elections, became alarmed and made frantic appeals to their "Southern brethren" not to press the bill "at this time." They were reminded that the Democracy had "not yet obtained possession of the Senate," etc., etc., but all to no purpose. The ex-Confederates had selected this particular case, because it was the least vulnerable of all in the numerous class it represented; they were assured of the support of a few sentimental Republicans who remembered only that the College was an ancient institution of learning and the *alma mater* of many whose names were revered by all Americans; and they hoped to establish by the aid of such Republicans a precedent that would be all the more binding because the Senate was still Republican.

#### Something must be done, p. d. q.

In this condition of things something had to be done, and quickly done, to frighten the Southern members into reason and save the elections in the North. And then it was that Bragg, a Wisconsin Democrat, was put forward to give voice to Northern Democratic ante-election sentiment, and in a speech delivered May 1, 1878, he entreated his Southern friends as follows:

#### Bragg's Frantic Appeal.

I appeal to my Southern friends on this side of the House, will you deliberately rake the ashes of the slumbering embers, and fan them into a blaze again? I believe in my heart you will not. But I am bound to tell you, and I do it in kindness; \* \* \* the people of the North will never submit to be taxed to reimburse your people or your States out of the National Treasury for any losses that they sustained, directly or indirectly, from the rebellion. \* \* \* There may be men in the North—their voice has been heard on this floor speaking words of encouragement to you in presenting claims like this one for reimbursement; but it is no true expression of Northern sentiment; they are the words of a siren that lures to death. You heard them and trusted them in 1860 and 1861; will you trust them again now?

This was very well done, and it had its effect, as will be presently seen; but in interpreting Democratic sentiment in the North he rather overdid the business, as will be seen by the following from the same speech:

The loss of houses and other sufferings by the general ravages of war have never been compensated by this or any other government. —[*American State Papers, Claims*, p. 199.] \* \* \* The College of William and Mary forfeited any right which she may have had as an educational institution sacred from the touch of war, by becoming herself an engine of war, an active participant in the rebellion. She not only sent her pupils to the red field of battle with words of encouragement and blessing, but she banished the muses from her groves, threw wide open her gates, and made her venerable halls barracks for soldiery to destroy the Government from which now in all humility she asks recompense. I do not state this too strongly; the report shows that before the footsteps of a Northern soldier darkened her halls they had been converted into barracks and a hospital in aid of the rebellion. The learned faculty cannot plead ignorance of consequences in case of failure, but they never counted failure among the possibilities.

\* \* \* It matters not if I am called a bigot or fanatic, I maintain that this bill is a crafty device to foist upon us Southern war claims as skillfully planned and as certain in results as the wooden horse that carried woe and ruin within the walls of far-famed Troy.

The amount proposed to be given is not large, but the shadow it casts before it is large enough to darken the land.

#### The Rebels Frightened and Retreat till after the Storm is over.

The speech had the desired effect, and on the 10th of May, 1878, Mr. Goode moved that the bill be passed over. The elections were held, Bragg was re-elected, and the Senate was to become

Democratic on March 4, 1879. The bill meantime was not pressed to a final vote till January 10, 1879. The Northern sentimentalists were true to their promises, and when opportunity offered gushed with the lofty sentiments of a college valedictory, and filled the House with sophomorical eloquence and commencement platitudes. Indeed, it seemed for a time that the bill was destined to pass; and it remained for Mr. Conger, of Michigan, to give it the final *coup de grace*, which not only killed that particular measure, but saved millions of dollars which would otherwise have been demanded for similar losses during the war. In the course of his speech on that occasion Mr. Conger said:

**Conger's Expose of the Fraud—The Rebels Destroyed the College Themselves—The Author of the Bill was There and Knew the Facts.**

These gentlemen would have you believe that on that day (when the Union soldiers entered Williamsburgh) this university, sacred to education, was the abode of peace, the home of men pursuing their studies under the light of the midnight lamp, and that on the morning after they heard the resounding cannon and lifted their worn and weary heads from the toil and study of the old books that were gathered in this sacred institution of learning, that they threw off their cowls and their caps, and they laid aside their robes and looked out of their windows and down into the court of this college, awakening from that philosophical dream of years, and inquired, "What means all this confusion; [laughter;] what cause this disturbance within the sacred precincts of learning?" as if they had never heard of war; as if for years they had not been teaching war and rebellion from the dome to the foundation of that old university; as if for months it had not been a deserted building, because its president and its professors and its students, aye, down to those of fifteen years of age, had donned the armor of the Southern republic and gone to do the battles of the South!

What was the condition of this college when our troops marched into Williamsburgh and occupied that city? What was the repose, the peacefulness of this venerable institution? Its president was even then flushed with the excitement of the preceding conflict; its professors, some of them wounded and laid low; some of them inmates of the same building then used as a hospital.

What else was this building used for on that day? It was a prison-house. Yes, Mr. Chairman, William and Mary College on the 8th day of May, 1862, when General McClellan rode with his staff of officers into Williamsburgh and repaired directly to the college building, at that moment it was the prison-house of Union officers and Union soldiers confined there—wounded, bleeding, dying, prisoners of the Union Army gathered into that college, this sacred institution of learning; gathered there to be kept, gathered there to die.

More than that, it was then a hospital, and had been for a long time previous. It was filled with the wounded, with the dying, with the dead from those armies. What was its condition? Outside the fences had been broken down, the grass-plats destroyed, even the beautiful monument which had been placed in the front of that building had been destroyed by Southern troops who had occupied it as a prison, as a hospital, as a garrison. The walls of the building were defaced, on side and in; the fences, the stone columns were broken; the trees were cut

down; the monument of a distinguished Virginian was defaced when our troops first came in sight of and up to this building.

Such, then, was the condition of this university when it came into the hands of Union men. It was cleansed; it was purified; the Confederates were driven from it; the wounded soldiers were removed to a better hospital as soon as possible. It is true it was occupied, peacefully occupied, by Union troops from that time until the next September. It was cleanly in its occupation; no damage was done to it. There is not a particle of proof anywhere that after our troops took possession of that building there was the least damage done to it. On the other hand, its condition was vastly improved until about the 8th or 9th of the September following; I will not be exact about the date. Then the Confederates, under Colonel Shingles, seeing how we preserved that college, attacked Williamsburgh, and by surprise captured Colonel Campbell and several of his officers. What they did, why they did it, is unexplained by these gentlemen.

On the lower floors of the building there was a large amount of medical stores for the wounded and the sick of both armies and all armies, deposited there for use. Whether it was burned in that attack, whether the fire was set there by rebel soldiers; whether it was burned by Union soldiers, or whether it caught fire accidentally, I have examined with great care to find some proof and have been able to find none.

When Colonel Shingles was killed and several of his officers taken prisoners, and his troops driven from the city of Williamsburgh, in the very midst of the conflict, about long enough for a fire which had been kindled in that building by Confederate troops while they were in its occupancy to make itself visible, a fire broke out, and there was no time in the midst of deadly conflict to maintain our possession in that city, to extinguish the fire. A surprise far within our lines had taken place; the college had been seized by the Confederates; a fight was going on. In some way the combustibles within that building, whatever they may have been, took fire. In the very heat of the conflict, while our troops were driving the enemy outside of the city, the building was burned. That is the history of it; brief, short, correct.

Mr. Conger also showed that the author of the bill was present at the time of the burning, and consequently knew the facts—knew that the bill was founded on fraud, and that the report accompanying it was false in every essential particular.

A lame and impotent effort was made to break the force of Mr. Conger's speech, after which a vote was taken and the bill was defeated by a vote of 87 yeas to 127 nays—75 not voting. Of the Republican votes there were 98 yeas to 9 nays; of the Democratic, 77 yeas to 29 nays. In other words, nearly 3 to 1 of the Democrats favored the bill, while more than ten to one of the Republicans opposed and killed the bill for the time being.

**Still another wedge—Claim of the Protestant Episcopal Seminary of Virginia.**

Within ten days of the defeat of the William and Mary College bill, another bill came up in the House for the "use and occupation" of the Protestant Episcopal Theological Seminary near Alexandria, Va., as a hospital for Union soldiers—in the words following:



*Be it enacted, etc.* That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$20,000 in full payment of rent due to the Trustees of the Protestant Episcopal Theological Seminary and High School in Virginia, for the use and occupation of their buildings and other property (located near Alexandria) for hospital purposes.

SEC. 2. That this act be in force from and after the passage thereof.

On the 31st January, 1879, a motion to strike out the enacting clause carried by 122 yeas to 89 nays—77 not voting. Of the Republican votes there were 97 yeas to 8 nays; of the Democratic, 81 nays to 25 yeas. Thus the vote showed a proportion of more than 3 to 1 Democrats in favor of the bill, while 12 to 1 of the Republicans opposed and defeated it.

#### **Other Steals in the Name of Religion and Education.**

A host of other bills awaited action on the William and Mary fraud, from which the following are selected as samples:

By Mr. Haralson, Ala. A bill to pay the Medical College of Alabama a \$50,000 for loss sustained by military occupancy.

By Mr. Clark, Mo. A bill to pay the University of Missouri \$17,475 for damages done by soldiers of the Union army.

By Mr. Young, Tenn. A bill to pay LaGrange Synodical College, Tennessee, \$34,300 for rent and destruction of building by United States troops.

By Mr. House, Tenn. A bill to pay Shelby Medical College, at Nashville \$20,604.90 for rent and for property taken from said building during the war.

By Mr. Tucker, Va. A bill to pay Washington and Lee University, (formerly Washington University) \$17,484 for injury done to said University in June, 1864.

By Mr. Riddle, Tenn. A bill to pay Cumberland University, Tennessee, \$10,000 for property appropriated by Union soldiers.

By Mr. Durham, Ky. A bill to pay Madison Female Academy \$10,325 for damage done said institution by Union troops.

By Mr. Bright, Tenn. A bill to pay the Presbyterian Church of Murfreesborough, Tennessee, \$10,000, said church having been used as a hospital for sick and wounded Union soldiers.

### **PART VIII.**

#### **Congress's Proposed Constitutional Amendment Prohibiting Payment of Rebel Claims—The Vote Thereon—It is Opposed to Democratic Policy to make Loyalty a Test for Rebel Claimants.**

On the 19th of June, 1878, Mr. Conger (Republican) moved the House to suspend the rules and pass the following:

Joint resolution proposing an amendment to the Constitution prohibiting the payment of claims of disloyal persons for property injured or destroyed in the late war of the rebellion.

#### **ARTICLE XVI.**

No claims shall ever hereafter be allowed or paid by the United States, whether as damages or otherwise, for any property, real or personal, taken, used, injured, or destroyed by United States troops, or by or through any officer, civil or military, acting under or by authority of the United States, or from any other cause whatever, during the suppression of the late rebellion in any of the States that were in rebellion against the Government of the United States, or for any property taken, used, injured, or destroyed outside of the said States so in rebellion, and which belonged to persons residing in such rebellious States, unless the person or persons owning the property so taken, used, injured, or destroyed were, during all the time of such rebellion, loyal to the Government of the United States, and gave neither aid or encouragement to the enemy.

After some delay and confusion, the rules were suspended, and the resolution passed by 145 yeas to 61 nays. The fact that only 43 Democrats voted for, and 61 Democrats voted against it (102 Republicans voted for, and none against it), shows plainly enough what the Democrats would do in the matter of rebel claims had they the power.

#### **The Solid South "in" for rebel claims—A warning to the North.**

It will be observed that of the 84 "not voting" 34 were absent Republicans, and that 50 Democrats failed to vote whether present or not. The further fact that of the 61 Democrats who voted nay, 52 are Southern Democrats, shows how solid the Southern States would stand against any such contemplated constitutional amendment, and how little chance it would have of getting the needed assent of three-fourths of the States.

The reason, and the only reason, why the South objects to Mr. Conger's proposed amendment is that it requires proof of loyalty *during the rebellion*, thus doing away with the retroactive effect of pardons and amnesty.

As the Constitution now stands they hold that proof of a pardon or a proclamation of general amnesty is equivalent to "proof that the party never gave aid and comfort to the rebellion." Under Conger's proposed amendment, requiring proof that the claimant was loyal *during the rebellion*, all hope of relief by the action of even a Democratic Congress would be cut off; and many a Southern gentleman, who is now mournfully loafing around the grass-grown streets of his native village, bewailing the "lost cause," the delay in securing Democratic control of the Government, and the consequent postponement of his little bill for damages, would be obliged to go to work and earn an honest living.

PART IX.

**The great danger from Democratic Ascendency—The Neal Dow Case—How a rebel court aided by a Democratic Judge of the Supreme Court proposed to steal from a Union Colonel.**

Another ever-present danger which menaces the country through a possible Democratic ascendancy in Congress, consists in the power which lies in that body to change the character of the Supreme Court. One of the most striking illustrations of this danger is the celebrated case against General Neal Dow, of Maine.

During the war, when General Dow, then a colonel in the Union army, was actively engaged in the field, a suit was commenced against him in a New Orleans court for damages sustained by the plaintiff, a foraging squad of the Colonel's regiment having seized and appropriated some property belonging to said plaintiff. Col. Dow was duly served with a summons, but being actively engaged in the field it was utterly impossible for him to respond, and did not dream that it was possible that a civil suit could be brought in the country of the insurgents against officers of the invading army of the Union. The result was that judgment was taken by default.

At the close of the war an execution was issued on the judgment and sent to Maine where it was sued in the United States court, Judge Clifford, of the Supreme Court, presiding. It so happened that Judge Clifford sat alone in the first instance, and took the case under advisement and held it there for eight years. At the end of that time and just about the time when Mr. Tilden's opinion became known that "*every soldier who marched across Southern soil was a trespasser, and liable to suit for damages in an action for trespass,*" Judge Clifford decided the case, affirming the judgment of the Louisiana court. At that time, however, Judge Clark sat with him and dissented, so that the case was sent to the Supreme Court.

**Clifford's Opinion and Tilden's views coincide—How the Democracy propose to pay all claims—A simple and comprehensive Program.**

These two opinions—those of Judge Clifford and Samuel J. Tilden—show clearly, and officially, what the judgment of a Democratic court would be in case the rebels should adopt a similar course to collect damages for losses sustained during the war.

The whole matter of collecting rebel claims would be vastly simplified under a Democratic Congress like the 44th, a Democratic President like Mr. Tilden, and a Democratic court composed of judges like the late Judge Clifford. To obtain all these it is only necessary to elect a Democratic Congress. That body would count in the President, and then proceed to increase the number of judges on the supreme bench until a Democratic majority was secured. The rest would be easy.

**A small Law with great Results.**

The passage of one short law, covering only three points, would bankrupt the Treasury and destroy our public credit. These points are:

1. That no proof of loyalty shall be required before the Southern Claims Commission, or before any department of the Government other than that required by the United States Supreme Court in suits at law; *i. e., no proof whatever.*

2. That the statute of limitations shall not apply in case of any war claims otherwise allowable against any individual, or against the United States. If there be any question of law about the power to revive a claim against an individual, once barred by the statute of limitations, there is certainly none as to the power of the Government to revive it against itself.

3. That "reasonable compensation may be recovered by *all* citizens of the United States for the use and occupation of their property by the United States army, or any part thereof, during the late civil war."—*See Riddle's bill, H. R. 2364, 44th Congress.*

That such a law would be promptly passed by a Democratic Congress, approved and enforced by a Democratic President, and sustained by a Democratic Supreme Court, no one can doubt who has read the history of that party.



## CHAPTER VIII.

## The River and Harbor Appropriation.

## PART I.

**Report of the Committee on Commerce.**

On June 6, 1882, Mr. Page, from the Committee on Commerce, presented to the House a bill "making appropriations for the construction, completion, repair, and preservation of certain works on rivers and harbors, and for other purposes," with the recommendation that it do pass, without amendment, and submitted the following report :

**Painstaking care of the Committee—**  
The reports based on the recommendations of Boards of Trade, Chambers of Commerce, Army Engineers, State Officials, etc.

In making this recommendation the committee beg to state that they have been constantly engaged for the past four months in examining with painstaking labor and care and thoroughness, all the estimates of the Engineer Department, supplemental and otherwise, and have been guided in their conclusions by the recommendations therein contained; that in their desire to do equal and exact justice to all parts of the country they have accorded hearings to all Senators, Representatives, and Delegates expressing a desire to be heard on any item or items appearing in the regular estimates, or in the Engineer's reports supplemental thereto; that they have also, for like reasons, granted hearings to the Mississippi River Commission, to delegations representing conventions, boards of trade and transportation, and chambers of commerce, and also, in certain cases, to Army engineers and State and city officials, and others, from all sections of the land; and that the resulting bill has been prepared with a view solely to the improvement of navigation in our navigable streams and harbors and the benefit of commerce.

**Liberality towards works of vast National Importance.**

The bill reported appropriates in the aggregate \$17,342,875, including \$925,000 for the Missouri River, \$4,925,000 for improving the Mississippi River, and \$780,000 for other works on those two streams; the amount appropriated by the bill outside of the amounts appropriated for the Mississippi and Missouri Rivers being \$10,714,875. For the improvement of the Mississippi River, from the head of the Passes up to Cairo, the bill appropriates all that the commission ask for, the committee believing that this is a work of such vast national importance and of such a peculiar and intricate character that the commission should not only be left entirely unhampered by conditions of any character whatsoever, but that it should also have abundant means for the completion of this great work at the earliest possible period.

**The People's Unanimous Demand for protection against undue exactions of Railroad Companies.**

The bill deals liberally with all such works as will largely and generally facilitate the commerce of the nation, by opening up the great waterways of the country to free navigation. The committee believe that at no time in the history of our government have the people so unanimously demanded of Congress liberal appropriations for rivers and harbors; that at no time in its history has the United States Treasury been in such a condition as to warrant large expenditures in this direction for the public good; and that it is of infinite importance, for the protection of the public from the undue exactions of railroad companies, that the great natural highways of commerce, the rivers of the country, shall be placed in the best condition to compete with them.

**The Tax on Luxuries should be Retained and the Money Expended for building up Neglected Industries.**

The committee believe that it is the desire of the people rather than reduce the taxes upon the luxuries of life, as has been contemplated by this House, that relief be given to them by large appropriations for internal improvements; that the surplus revenues should be expended for the benefit of such sections as are most in need of such improvements, so that the long-neglected industries and commerce of the South may be properly stimulated, and those of all other portions of the United States may have needed relief.

**Some of the so-called "Creeks" found upon examination to be Important Harbors.**

While pursuing this general policy as to the larger water-ways of the country, the committee have not placed in this bill appropriations for small streams of no importance to commerce. In the cases of many tidal streams, which are termed "creeks," the committee found, after examination, that they were larger and more important to commerce and navigation than many of the rivers of the country. Many works have been commenced for which large appropriations have already been made. In such cases the rule has generally been followed of giving from one-third to one-half of the amount recommended by the Engineers, and which they say can be profitably expended during the fiscal year.

**Reckless system of New Surveys discontinued—Caution as to New Works.**

The committee, believing that it is better for the government to complete the work already commenced, have been very careful as to making appropriations for new works, however meritorious. The system hitherto prevailing, of making appropriations for the surveys without reference to the merits has opened the door to an avalanche of surveys and unusual pressure to make appropriations for the commencement of the work. A provision has

therefore been inserted in the bill that before any such survey can be made, the local engineer, when directed by the Chief Engineer, must make an examination as to whether the work is worthy of improvement and a public necessity, and report upon the same to the Engineer's Department.

## PART II.

### The President's Special Message.

Liberal appropriations had been previously recommended by President Arthur in the following message:

#### The Creation of the Mississippi River Commission.

*To the Senate and House of Representatives:*

I transmit herewith a letter dated the 29th ultimo, from the Secretary of War, inclosing copy of a communication from the Mississippi River Commission, in which the commission recommends that an appropriation may be made of \$1,000,000 for "closing existing gaps in levees," in addition to the like sum for which an estimate has already been submitted.

The subject is one of such importance that I deem it proper to recommend early and favorable consideration of the recommendations of the commission. Having possession of and jurisdiction over the river, Congress, with a view of improving its navigation and protecting the people of the valley from floods, has for years caused surveys of the river to be made, for the purpose of acquiring knowledge of the laws that control it, and of its phenomena. By act approved June 28, 1879, the Mississippi River Commission was created, composed of able engineers. Section 4 of the act provides that "it shall be the duty of said commission to take into consideration and mature such plan or plans and estimates as will correct, permanently locate, and deepen the channel, and protect the banks of the Mississippi River; improve and give safety and ease to the navigation thereof; prevent destructive floods; promote and facilitate commerce, trade, and the postal service."

#### Constitutionality of the Appropriation.

The constitutionality of a law making appropriations in aid of these objects cannot be questioned. While the report of the commission submitted and the plans proposed for the river's improvement seem justified as well on scientific principles as by experience and the approval of the people most interested. I desire to leave it to the judgment of Congress to decide upon the best plan for the permanent and complete improvement of the navigation of the river and for the protection of the valley.

#### The Widespread Suffering to be relieved by the Improvements.

The immense losses and widespread suffering of the people dwelling near the river induce me to urge upon Congress the propriety of not only making an appropriation to close the gaps in the levees occasioned by the recent floods, as recommended by the commission, but that Congress should inaugurate measures for the permanent improvement of the navigation of the river and security of the Valley. It may be that such a system of improvement would as it

progressed require the appropriation of twenty or thirty millions of dollars. Even such an expenditure, extending as it must over several years, cannot be regarded as extravagant in view of the immense interests involved.

#### The Value of the Improvement to the Great Northwest, and as a Means of Keeping the Balance of Trade in Our Favor.

The safe and convenient navigation of the Mississippi is a matter of concern to all sections of the country, but to the Northwest, with its immense harvests, needing cheap transportation to the sea, and to the inhabitants of the river valley, whose lives and property depend upon the proper construction of the safeguards which protect them from the floods, it is of vital importance that a well-matured and comprehensive plan for improvement should be put into operation with as little delay as possible. The cotton product of the region subject to the devastating floods is a source of wealth to the nation and of great importance to keeping the balances of trade in our favor.

#### An Indirect Method of Refunding the Cotton Tax.

It may not be inopportune to mention that this Government has imposed and collected some seventy millions of dollars by a tax on cotton, in the production of which the population of the Lower Mississippi is largely engaged, and it does not seem inequitable to return a portion of this tax to those who contributed it, particularly as such an action will also result in an important gain to the country at large, and especially so to the great and rich States of the Northwest and the Mississippi Valley.

CHESTER A. ARTHUR.

## PART III.

### Debate in the House.

#### National Support of Harbor and River Improvements.

Mr. Page, in the House, in presenting the bill, said:

Congress has for the last eighty years made annual appropriations for the improvement of rivers and harbors. In 1802 Congress for the first time passed a river and harbor appropriation bill, which appropriated \$30,000 for the improvement of the Delaware River. Since that time annual appropriations for these purposes have been made by Congress, varying in amount up from \$30,000 in 1802 to \$12,000,000 in 1881. In 1879 Congress passed a law authorizing the President of the United States to select seven commissioners, known as the Mississippi River Commission. These commissioners were to be selected, three from the Army Engineer Corps, one from the Coast and Geodetic Survey, and three from civil life. It was their duty, under this law, to make an examination of the Mississippi River, and report a plan for its improvement to the Congress of the United States. In the last Congress their report was adopted by this House and an appropriation was made of some two million and odd thousand dollars for the whole river; one million for the river below Cairo to the head of the passes. This was deemed insufficient by the Mississippi River Commission, and consequently they made no headway in the improvement of this great river, but deferred it till now, when they expect Congress to make appropriations more commensurate with this great improvement; an improvement that has attracted the attention not only of the people directly inter-



ested, living along the banks of the Mississippi River, but of the people of the whole country.

### Mississippi Improvements Demanded by the Needs of Commerce.

I know of no enterprise that has been undertaken within the last quarter of a century that has attracted more attention than the improvement of this great water-way. Conventions have met at Saint Louis and Saint Joseph, and all over the country; conventions, not of politicians, but of the representatives of the people, have met and have resolved that it was the duty of Congress to make these large appropriations in order that this great improvement might be carried on. Our committee was in session in considering this bill for over four months. They listened to all the delegations that were sent here, representative men from different localities, and all interested in this great improvement. We heard arguments adduced by the representatives of the conventions that assembled in Saint Louis in October last. We listened to representations and arguments made by boards of trade and chambers of commerce, and by representatives from all over this country. The Mississippi River commission was heard at great length before our Committee, and it was unanimously resolved by the Committee on Commerce that liberal appropriations should be made this year to carry out this improvement. We do not give, it is true, all that was asked for, but we give all that the commission ask for below Cairo to the head of the passes, to wit, \$4,123,000.

### First Appropriation Commensurate with the Importance of the Improvement.

I have made this statement to show that while this bill is large, it is the first river and harbor bill that has contained any appropriation commensurate with the importance of this great improvement, or for carrying on this great improvement as contemplated by the Mississippi River Commission. In this connection I desire to say that this improvement has not only attracted the attention of the people of almost the entire country but it was regarded as of so much importance that the President of the United States thought it incumbent upon him to send a special message to Congress calling attention to this great and needed improvement.

### Comparison with Harbor and River Appropriations of Previous Years.

This bill appropriates \$17,342,875 on an estimate in round numbers of \$37,000,000. The river and harbor bill of 1881 appropriated \$11,547,800, upon an estimate of \$25,851,921. I take that as a comparison, because it was discussed in this House and passed by a very large majority by this body and by the Senate. I therefore proposed to institute a comparison between the bill now under consideration and the river and harbor bill of last year, which, as has been suggested, was not put through the House under the gag rule, but was discussed thoroughly on the floor of the House. As I have said, this bill on an estimate of \$37,000,000, appropriated \$17,342,000, and the river and harbor bill of last year on an estimate of \$25,851,921 appropriated \$11,547,800.

The river and harbor bill of 1881 contained an appropriation of \$2,772,000 only for the Mississippi and Missouri Rivers. The bill now under consideration contains an appropriation of \$6,663,000 for these two great rivers of the country, making an excess of appropriation for those two rivers by this bill over that of 1881 of nearly \$4,000,000.

This bill appropriates \$5,795,075 in excess of the bill of last year; but from that amount should be deducted \$3,864,000 given to the Mississippi and Missouri Rivers in excess of what was given last year, which leaves for the other works in the country \$1,931,000 more appropriated by this bill than by the bill of last year. \* \* \*

### Present House Deals Liberally with Southern Section.

Mr. Chairman, this bill deals very liberally with the Southern section of the country. We believe this liberality is called for by the improved condition of affairs in that section. During the war the Southern States received, of course, no appropriations; since the war they have not received their fair share of the appropriations for rivers and harbors; they have not received the proportion to which the commerce of those localities is justly entitled. We have sought in this bill to deal absolutely fairly in the distribution of this money, giving a proper amount to the various rivers and harbors that needed it. We have given this year about 45 per cent. of the estimate; that is all.

### \$8,705,000 Appropriated for the Improvement of the Mississippi and Its Tributaries.

Mr. Horr, of Michigan, in a speech in the House on June 15, said:

I wish to say now that in order to arrive at a fair understanding of this bill I have divided it into five sections. I only regret that I have not a map here so that I could illustrate to the House the exact manner in which this money is distributed over the country.

Before I give you the five divisions, let me state that this bill appropriates \$5,678,000 for the main trunk of the Mississippi River, for the principal stream; and \$990,000 for the main stream of the Missouri River.

I have taken the entire Mississippi Valley as one division. You understand what I mean. The Mississippi River and every stream that runs into it, or that runs into a stream which runs into it, constitutes the great water shed of what is called the Mississippi Valley. This bill contains \$8,705,000 for the Mississippi River and its tributaries, the Mississippi Valley proper—over one-half of the amount appropriated by the bill. And if my strength permits, before I get through I desire to defend that appropriation of \$8,705,000 as best I can against the complaints of the press and of people who, in my judgment, have never given the subject careful study. \* \* \*

### Appropriation Determined by Amount of Tonnage of River.

Your committee finally came to the conclusion, in view of all these facts, that the only rule to determine the amount of an appropriation was the tonnage that floats through the harbor in and out and over the river that you improve. We believe that to be the fairest test as to the importance of an improvement, and I cannot for my life now see why it is not. Of course the amount to be appropriated will depend largely upon the character of the work. The amount of commerce should settle the question as to beginning the improvement, and the amount to be given should be determined by the cost of the improvement.

Now come to the feature in this bill which gives the most trouble, and occasions the most comment throughout the country, and that is the great question of improving the Mississippi River and its tributaries. \* \* \*

### Vast Tonnage of the Mississippi River—Cheap Transportation.

Again, what is this valley which we propose<sup>o</sup> to improve and help out of its trouble? Until I prepared this bill I had no conception of the commerce of this country. I know you will bear with me a moment while I illustrate a few things pertaining to this enormous valley. In the first place it contains 14,000 miles of river—navigable rivers—which are now <sup>un-</sup>improved by the government. They <sup>are</sup> <sup>the</sup> <sup>great</sup> <sup>arteries</sup> <sup>of</sup> <sup>the</sup> <sup>country</sup>

border upon eighteen States and two Territories.

The population of this valley to-day is 30,000,000. As you look into the future you can see that it will be able to support 600,000,000 of inhabitants. Now, is not the experiment worth trying? I admit that it is an experiment; I admit that we may fail; but is it not worth trying? I find that there were dug and handled in the United States last year 66,000,000 tons of coal. Can you think of how much that is? If you were to run a railroad twice around the world this coal loaded upon cars would fill every car and make a solid train, on a double track, clear around the globe. We had in the United States last year 250,000,000 tons of commerce. If you take the 102,000 miles of railroads in the United States, double track them all, load upon cars the commerce which we moved last year in this country, there would be a solid train over every line and every branch and side-track, going and coming, filling both tracks. You could not cross these tracks on a dirt road in the whole United States. These statements seem fabulous, but the immense tonnage of this land is more than fabulous. To provide for the transportation, the cheap transportation, of such a commerce requires that men should rise above the level of common humdrum thought, and if possible reach the heights of true philosophy, of real statesmanship.

It is to prepare for moving products of this kind that this bill is drawn. I find that the coal-fields of Pennsylvania are only 13,000 square miles; yet Pennsylvania alone furnished last year out of those 66,000,000 tons of coal 42,000,000. Now take the State of Illinois, which borders upon this great national highway. What could Illinois do? Illinois has 36,000 square miles of coal-fields; and in many places her coal is piled up so that it aggregates 100 feet in thickness. Now, take for a moment the other products of Illinois. She raised last year 325,000,000 bushels of corn, 51,000,000 bushels of wheat, 63,000,000 bushels of oats, 1,250,000 of barley, 3,000,000 bushels of rye, 13,000,000 bushels of potatoes. Illinois had 1,000,000 car-loads of products from those six or seven items alone last year, and she is only one State out of eighteen that border on this great national highway that goes to make up this great valley of the Mississippi.

Then take the iron of Alabama and Tennessee and Missouri and Kentucky, and the coal of every one of those States. Why, sir, the coal-fields of this valley alone aggregate 170,000 square miles. Take the timber from Kentucky, Mississippi, and that entire valley; the zinc of Tennessee and Missouri; the cotton and sugar from all these States; take all the varied products; and what we seek to do by this bill is simply to improve this great water-way, so as to secure cheap transportation for the working millions now in this great valley and for the increasing millions that are to come after us, cheap transportation for the food and the fuel which God has spread with such profusion all over this continent. \*

#### **A Grand Enterprise, A Mammoth undertaking, characteristic of the Anglo-Saxon race—No such word as Fail.**

A few more words, Mr. Chairman, and I am done. In attempting to rule such a vast and changing stream, our committee well understood that we entered upon no light task—that the work before us is no child's play. Some of our members entertain strong fears that the task is beyond the powers of man—that we enter upon a work that mortal skill and ingenuity cannot perform. Still we were unanimous in our decision that we would make the attempt. In doing this we took counsel of our hopes instead of our fears. And now I would ask the members of this Congress to concur in our conclusion. Let us not shrink from this work because of its magnitude. We should not forget that we live in an age of great achievements. Grand enterprises, mammoth undertakings, are exactly fitted to the mental peculiarities of our Anglo-Saxon race.

Courage to grapple with the immense is one of the distinguishing features of the inhabitants of this Republic. Feebleness, timidity, faint-heartedness, do not become our day and generation. To dare and to do are the crowning glories of our American civilization. The necessities of the hour call for men who have brains to plan, who have faith in themselves, who have hands to execute. Fear of failure has no place in the great achievements of to-day. Like Cardinal Richelieu, we should know no such word as fail.

#### **Statistics in relation to our Lake and Mississippi and Ohio River systems.**

Hon. Amos Townsend, of Ohio, in a speech on the same subject said:

Few gentlemen on this floor whose attention has not been particularly directed to this subject can understand or properly appreciate the magnitude of the tonnage moved and the water craft employed upon our inland lakes and rivers, and for the information of the House I will refer to some valuable statistics which I have procured from official sources, and for which I am greatly indebted to Hon. Charles W. Seaton, the Superintendent of the Census Bureau. They refer to the northwestern lakes and the Ohio and Mississippi River systems, and exhibit in comparison the number of vessels employed, tonnage, value, capital invested, and passenger and freight traffic of the lakes and rivers.

Statement of the number, tonnage, value, capital invested, passenger and freight traffic of steam craft of lakes and rivers compared, 1880.						
Groups.	No.	Tonnage.	Value.	Capital invested.	Passenger traffic.	Freight traffic.
Total lake interests.....	973	224,877.69	\$14,041,425	\$17,112,808	1,356,010	Tons 4,678,591
Total river interests.....	1,186	209,822.12	14,345,600	18,162,582	6,673,581	7,703,114
Ohio river.....	473	107,472.48	5,772,000	6,051,522	3,941,798	3,446,353
Upper Mississippi.....	377	87,252.12	3,104,050	6,180,600	1,311,976	3,689,050
Lower Mississippi.....	a 336	75,117.52	5,469,550	5,930,220	1,339,807	1,576,215

a Includes ocean-steamship interests of New Orleans.



It is a somewhat singular coincidence that the value of steamers plying on the lakes is very nearly equal to the whole river interests. Again: the Ohio River and the Lower Mississippi River interests approximate nearly the same, while the capital invested is also nearly equal in both cases. The capital invested in steam crafts on the Upper Mississippi, Lower Mississippi, and the Ohio River is in each instance close to \$6,000,000. Mr. Seaton has also furnished me with a statement of the approximate number, tonnage, and value of the craft, s. d. barges, and flats on the northern lakes and western rivers.

*Statement of the approximate number, tonnage and value of the craft on the Northern Lakes and Western rivers.*

Region.	No. of craft.	Tonnage	Value.
Total Northern Lakes .....	2,683	553,362.45	\$21,855,808
Total river interests.....	6,709	1,581,742.71	16,909,265

Mr. Van Horn, of Wisconsin, in advocating the bill in the House, said:

**Vast Importance of the Improvement to the Agricultural and Other Interests of the West.**

It is not my purpose to burden the House with statistics, but as there should be well-grounded reasons of policy in all expenditures of public money, it may be proper to state that the valley drained by the Missouri is in extent and fertility the most important of the continent, and although new in development it now comprises nearly five millions of people, and increasing faster than ever in its brief history. Your census returns show that it grows nearly one-third of the grain product of the United States, its aggregate crop being over 600,000,000 bushels. It had 12,365,300 farm animals, and contributed to the internal revenues \$10,000,000. Figures such as these are eloquent in argument for the policy of this expenditure, and the nearest portion of this vast productive area is a thousand miles from present seaboard markets by rail. This crop last year paid an average of 35 cents a bushel by rail to the seaboard. An experimental season of shipments by an average river sent it to sea at 15 cents, a difference in favor of the river transport of 115 per cent. If the Government can find justification in giving away in lands and bonds more than \$500,000,000 to build railroads to carry these products to market at 35 to 50 cents, and return the products of industry to the farms at corresponding rates, how can it refuse to aid by the expenditure \$50,000,000 in all to insure the permanence of the 15 cent rate? And the western rivers can be permanently improved, all of them, for less than that sum, and in this I include the three great rivers and their important tributaries.

**The House Passes the Bill—Yeas and Nays.**

YEAS—Messrs. *Atkins, Bayne, Blanchard, Bland, Bliss, Blount, Bowman, Buck, Julius C. Burrows, Calkins, Candler, Carpenter, Caswell, Chace, Clardy, J. B. Clarke, Cook, Crapo, Cravens, Cuberson, Cullen, Curtin, Darrall, Davidson, Geo. R. Davis, Lowndes H. Davis, Dawes, DeMotte, Dezendorf, Dibrell, Dunn, Dunnell, Ellis, Sewell S. Farwell, Forney, Fulkerson, George, Gibson, Guenther, Gunter, Harmer, B. W. Harris, H. S. Harris, Hazeltine, Hatch, Hawk, Hazleton, Hebburn, Hebert, Herndon, G. W. Hewitt, Hill, Hunscock, Hoge, Horr, Houck, House, H. L. Humphrey, Hoge, W. Jones, J. K. Jones, Jorgensen, Kelley, Kennen, King, Lewis, Lord, Lynch, Mackey, Manning, Martin, McClure, McCoId, McLane, Money,*

*Moore, Norcross, Oates, O'Neill, Orth, Pacheco, Page, Parker, Paul, Payson, Pierce, Pettibone, Pound, Reagan, Theron M. Rice, W. W. Rice, Rich, D. P. Richardson, Ritchie, Robert on, Ross, Shelly, D. C. Smith, Spaulding, Speer, Spooner, Stone, Strait, Titman, Town-end, Amos, Upson, Valentine, Vance, Wait, Washburn, Weiler, Wellborn, West, White, C. G. Williams, Thomas Williams, G. D. Wise, M. Wise.—1-0.*

NAYS—Messrs. *Aldrich, Anderson, Briggs, Buchanan, J. W. Caldwell, J. M. Campbell, Cobb, Converse, Wm. R. Cox, Deering, Deuster, Dingley, Dwight, Godshalk, Hall, Hard-nburgh, Haskell, A. S. Hewitt, Holman, Hutchins, Jadwin, Joyee, Kasson, Ketcham, McKenzie, Miles, Morrison, Morse, Moulton, Mutchler, Neale, Peele, Prescott, Ryan, Scales, Skinner, A. H. Smith, Steere, H. G. Turner, Oscar Turner, Tyler, T. Undergraft, Wadsworth, Walker, Warner, Whitthorne, Wilson.—47.*

So the bill was passed by the House.

## PART IV.

### The Bill in the Senate.

**Mr. Morrill's Amendment providing only one half of the aggregate amount Appropriated should be expended during fiscal year at the discretion of the President.**

The bill was amended in the Senate Committee of Commerce and the Senate so as to reach the sum of \$20,247,575. Pending—

Mr. MORRILL, July 12, moved to add to it the following:

*Provided, That only one-half of the aggregate amount appropriated in this act shall be expended during the year ending June 30, 1883, and the whole or any part of the different items herein mentioned may be expended at the discretion of the President, but not exceeding one-half of the aforesaid aggregate amount.*

Which was disagreed to—yeas 16, nays 45:

YEAS—Messrs. *Blair, Cameron of Pennsylvania, Chilcott, Davis of Illinois, Frye, Hale, Hawley, Hill of Colorado, Lapham, Mitchell, Morrill, Platt, Plumb, Rollins, Saunders, Van Wyck—16.*

NAYS—Messrs. *Aldrich, Allison, Anthony, Bayard, Beck, Brown, Butler, Call, Camden, Cameron of Wisconsin, Cockrell, Coke, Conger, Davis of West Virginia, Dawes, Farley, Ferry, George, Grover, Hampton, Harris, Ingalls, Jackson, Johnson, Jonas, Jones of Florida, Jones of Nevada, Lamar, McMillan, Maxey, Miller of California, Miller of New York, Pendleton, Pugh, Ransom, Saulsbury, Sawyer, Sherman, Slater, Vance, Vest, Walker, Williams, Windom—45.*

The bill was then passed—yeas 38, nays 23:

YEAS—Messrs. *Aldrich, Allison, Anthony, Brown, Camden, Cameron of Wisconsin, Cockrell, Coke, Conger, Davis of West Virginia, Dawes, Farley, Ferry, George, Grover, Hampton, Hoar, Johnston, Jonas, Jones of Florida, Jones of Nevada, Lamar, McMillan, McDill, McMillan, Maxey, Miller of California, Miller of New York, Pugh, Ransom, Saunders, Sawyer, Sherman, Slater, Vance, Vest, Walker, Williams, Windom—38.*

NAYS—Messrs. *Bayard, Beck, Blair, Call, Cameron of Pennsylvania, Davis of Illinois, Frye, Hale, Harris, Harrison, Hawley, Hill of Colo-*

rado, Jackson, Lapham, Logan, Mitchell, Morrill, Pendleton, Platt, Plumb, Rollins, Sautsbury, Van Wyck—23.

## PART V.

### The two Houses pass the Bill.

#### Report of the Committee of Conference—Proceedings in the two Houses.

On July 15, in the House, the Senate amendments were non-concurred in, and the bill went to a committee of conference.

On July 25, in both Houses, the committee of conference submitted its report.

The report reduces the appropriation for the survey of the Chesapeake and Delaware Canal from \$20,000 to \$10,000, and adds a new item, being a provision for a survey between City Island and New Rochelle Harbor, N. Y. The appropriation to the Potomac River at Washington is reduced from \$500,000 to \$400,000, that for the survey of the Hennepin Canal from \$100,000 to \$30,000, and a proviso added "that nothing herein contained shall be construed to commit the Government to proceed with the said improvement," and that for the Mississippi River below Cairo from \$5,000,000 to \$4,123,000, as fixed in the House bill. The changes made reduces the aggregate of the bill to \$18,743,875. The bill as passed by the House appropriated \$17,367,875. As passed by the Senate, it appropriated \$20,147,575. Under the report, the Mississippi River has appropriated for its improvement from Cairo to the passes \$4,123,000. It has \$600,000 additional from Cairo to Illinois River, including Alton Harbor; \$200,000 additional from the Illinois River to the Des Moines Rapids; \$250,000 additional from the Des Moines Rapids to the Falls of St. Anthony; \$10,000 above the Falls of St. Anthony, and \$300,000 for the reservoirs.

In the Senate the report was adopted without a division.

In the House, on July 25, the report of the committee was rejected; yeas 82, nays, 97; not voting?

Whereupon Mr. Strait moved to reconsider this vote, and Mr. Cox, of New York, moved to lay that motion on the table.

Pending which the House adjourned.

On July 26, in the House; to reconsider was agreed to—yeas, 116; nays, 77.

The report of the conference committee was then agreed to—yeas, 112; nays, 82.

YEAS—Messrs. W. Aldrich, Barbour, Bayne, Bisbee, Blanchard, Bliss, J. H. Brewer, Buck, Buckner, Butterworth, Calkins, Candler, Car-

penter, Caswell, Chace, Chapman, Covington, Cravens, Culberson, Cullen, Darrall, G. R. Davis, Deering, De Mott, Dowd, Dunn, Ellis, Errett, Evans, S. S. Farwell, Ford, Forney, Fulkerson, Garrison, George, Gibson, Gunter, Harmer, B. W. Harrison, I. S. Haseltine, G. C. Hazelton, Henderson, Hepburn, Herndon, J. Hill, Hoblitzell, Hoge, Horn, Hubbell, G. W. Jones, F. K. Jones, Kelley, Kenna, King, Latham, Lewis, Lord, Lynch, E. L. Martin, McClure, McCoide, McLane, Moore, Muldrow, Neal, Oates, O'Neill, Pacheco, Page, Parker, Payson, Peirce, Pettibone, Pound, Reagan, W. W. Rice, Rich, D. P. Richardson, E. W. Robertson, G. M. Robeson, Rosecrans, Ross, W. A. Russell, Shallenberger, Sherwin, O. K. Singleton, Smalls, D. C. Smith, J. H. Smith, Speer, Spooner, Stephens, E. W. Stone, Strait, Talbot, A. Townsend, Upson, Urner, Valentine, Vance, Van Aernam, Van Horn, Wait, Ward, Washburn, Webber, Welborn, J. D. White, C. G. Williams, T. Williams, Willits, G. D. Wise—112

NAYS—Messrs. Anderson, Armfield, Atherton, Belmont, Berry, Blout, Briggs, Browne, Buchanan, J. C. Burrows, J. W. Caldwell, Campbell, Carlisle, Cassidy, J. C. Clements, Colerick, S. S. Cox, Cutts, Dawes, Dingley, Dwight, Ermentrout, Godshalk, N. J. Hammond, Hardenbergh, Hardy, Haskell, Hatch, A. S. Hewitt, Hiscock, Holman, House, Hutchins, Jacobs, Jadwin, Kasson, Knott, Leedom, Le Ferre, Matson, McKenzie, McKinley, McMillin, S. H. Miller, Mills, Morey, Morrison, Morse, Moulton, Murch, Mutchler, Norcross, Peelle, Prescott, Ray, Reed, J. B. Rice, Ritchie, G. D. Robinson, J. S. Robinson, W. E. Robinson, A. H. Smith, G. W. Steele, Stockslager, E. B. Taylor, H. G. Turner, O. Turner, Tyler, J. T. Updegraff, T. Updegraff, Von Voorhis, Wadsworth, Walker, E. Warner, West, Whithorne, Willis—82.

## PART VI.

### President Arthur Vetoes the Bill.

#### The President returns the Bill to the House with his Objections to its passage.

Mr. McMILLAN. Now I move to take up the river and harbor bill, which has been returned, with the message of the President.

The motion was agreed to.

The PRESIDENT *pro tempore*. The bill is before the Senate, and the message of the President will be read.

The message was read as follows.

#### To the House of Representatives:

Having watched with much interest the progress of House bill No. 6242, entitled "An act making appropriation for the construction, repair, and preservation of certain works on rivers and harbors, and for other purposes," and having since it was received carefully examined it, after mature consideration I am constrained to return it herewith to the House of Representatives, in which it originated, without my signature, and with my objections to its passage.

Many of the appropriations in the bill are clearly for the general welfare and most beneficent in their character. Two of the objects for which provision is made were by me considered so important that I felt it my duty to direct to them the attention of Congress. In my annual message in December last I urged the vital importance of legislation for the reclamation of



the marshes and for the establishment of the harbor lines along the Potomac front. In April last by special message I recommended an appropriation for the improvement of the Mississippi River. It is not necessary that I say that when my signature would make the bill appropriating for these and other valuable national objects a law, it is with great reluctance and only under a sense of duty that I withhold it.

My principal objection to the bill is that it contains appropriations for purposes not for the common defense or general welfare, and which do not promote commerce among the States. These provisions, on the contrary, are entirely for the benefit of the particular localities in which it is proposed to make the improvements. I regard such appropriation of the public money as beyond the powers given by the Constitution to Congress and the President.

I feel the more bound to withhold my signature from the bill because of the peculiar evils which manifestly result from this infraction of the Constitution. Appropriations of this nature, to be devoted purely to local objects, tend to an increase in number and amount. As the citizens of one State find that money to raise which they in common with the whole country are taxed, is to be expended for local improvements in another State, they demand similar benefits for themselves, and it is not unnatural that they should seek to indemnify themselves for such use of the public funds by securing appropriations for similar improvements in their own neighborhood. Thus as the bill becomes more objectionable, it secures more support. This result is invariable and necessarily follows a neglect to observe the constitutional limitations imposed upon the law-making power.

The appropriations for river and harbor improvements have, under the influences to which I have alluded, increased year by year out of proportion to the progress of the country, great as that has been. In 1870 the aggregate appropriation was \$3,975,900; in 1875, \$6,648,517.50; in 1880, \$8,976,500; and in 1881, \$11,451,000, while by the present act there is appropriated \$18,743,875.

While feeling every disposition to leave to the Legislature the responsibility of determining what amount should be appropriated for the purposes of the bill, so long as the appropriations are confined to objects indicated by the grant of power, I cannot escape the conclusion that, as a part of the law-making power of the Government, the duty devolves upon me to withhold my signature from a bill containing appropriations which in my opinion greatly exceed in amount the needs of the country for the present fiscal year. It being the usage to provide money for these purposes by annual appropriation bills, the President is in effect directed to expend so large an amount of money within so brief a period that the expenditure cannot be made economically and advantageously.

The extravagant expenditure of public money is an evil not to be measured by the value of that money to the people who are taxed for it. They sustain a greater injury in the demoralizing effect produced upon those who are intrusted with official duty through all the ramifications of Government.

These objections could be removed and every constitutional purpose readily attained, should Congress enact that one-half only of the aggregate amount provided for in the bill be appropriated for expenditure during the fiscal year, and that the sum so appropriated be expended only for such objects named in the bill as the Secretary of War, under the direction of the President, shall determine; provided that in no case shall the expenditure for any one purpose exceed the sum now designated by the bill for that purpose.

I feel authorized to make this suggestion because of the duty imposed upon the President by the Constitution "to recommend to the consideration of Congress such measures as he shall judge necessary and expedient;" and because it is my earnest desire that the public

works which are in progress shall suffer no injury, Congress will also convene again in four months, when this whole subject will be open for their consideration.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, August 1, 1882.

### The House Passes the Bill over the President's Objections.

Mr. PAGE. I am unanimously instructed by the Committee on Commerce to move to take up the river and harbor appropriation bill, with the President's veto message relating thereto, and to move that the bill do pass notwithstanding the President's objections.

\* \* \* \* \*

The SPEAKER. The question is, Will the House on reconsideration agree to pass the bill notwithstanding the objections of the President? By paragraph 2, section 7, article 1 of the Constitution of the United States this vote must be taken by yeas and nays.

The question was taken, and there were—yeas 122, nays 59, not voting 108; as follows:

YEAS 122.—*Atkins, Barbour, Bayne, Bingham, Blackburn, Blanchard, Bliss, Bowman, Brewer, Buck, Buckner, Burrows, Julius C., Butterworth, Cabell, Calkins, Candler, Cannon, Carpenter, Chapman, Cements, Crapo, Cravens, Culbertson, Cullen, Davis, George R.; Dawcs, DeMotte, Deuster, Dillard, Dunn, Dunning, Ellis, Errett, Evans, Farwell, Sewell S., Ford, Forney, Fulkerson, Garrison, George, Gibson, Guenther, Gunter, Hammond, John; Harmer, Harris, Benjamin W., Harris, Henry S., Haseltine, Hatch, Hazelton, Henderson, Hepburn, Herndon, Hoblitzell, Hoge, Horr, House, Hubbard, Jones, George W.; Jones, James K.; Keana, King, Latham, Lewis, Lord, Lynch, Mackey, Manning, McClure, McCoid, McLane, McMillin, Mills, Oates, O'Neill, Page, Parker, Payson, Peirce, Phelps, Pound, Reagan, Rice, John B. Rice, Theron M.; Rice, William W.; Rich, Richardson, D. P.; Ritchie, Robertson, Robeson, Rosecrans, Ross, Shallenberger, Sherwin, Simonton, Singleton, Otho R.; Smalls, Spaulding, Speer, Spooner, Stephens, Stone, Strait, Talbot, Taylor, Townsend, Amos, Tucker, Upson, Urner, Vance Van Aernam, Van Hurn, Wail, Ward, Washburn, Webber, Wellborn, White, Williams, Charles G.; Williams, Thomas; Wilson, Wise, George D.*

NAYS 59.—*Anderson, Belmont, Blount, Briggs, Browne, Brumm, Buchanan, Caldwell, Campbell, Colerick, Converse, Coz, Samuel S.; Deering, Dingley, Ermentrout, Fisher, Godshalk, Hammond, N. J.; Hardy, Haskell, Hewitt, Abram S.; Hill, Hiscock, Holman, Hutchins, Jacobs, Jadwin, Kasson, Ketcham, Klotz, Leedom, Le Fevre, McKimley, Miller, Mutchler, Norcross, Peelle, Randall, Ray, Reed, Robinson, George D.; Ronson, James S.; Robinson, William E.; Ryan, Seales, Smith, A. Herr; Springer, Stocklager, Tazewend, R. W.; Turner, Henry G.; Turner, Oscar; Tyler, Updegraff, J. T.; Updegraff, Thomas; Warner, Whitthorne, Willis, Willis, Young.*

NOT VOTING 108.—*Aiken, Aldrich, Armfield, Atherton, Barr, Beach, Belford, Beltzhoover, Berry, Bisbee, Black, Blanch, Bragg, Burrows, Joseph H.; Camp, Carlisle, Cassidy, Caswell, Chace, Cardy, Clark, Cobb, Cook, Cornell, Covington, Coz, William R.; Crowley, Curtin, Cutts, Darrell, Davidson, Davis, Louvells H.; Dezendorf, Dowd, Dugro, Dwight, Farwell, Charles B.; Flower, Frost, Geddes, Grout, Hall, Hardenbergh, Heilman, Herbert, Hewitt, G. W.; Hooker, Houk, Hubbs, Humphrey, Jones, Phineas; Jorgensen, Joyce, Kelley, Knott, Lacey, Ladd, Lindsey, Love, Marsh, Martin, Mason, Watson, McCook, McKenzie, Miles, Money, Moore, Morey, Morrison, Morse, Mosgrove, Moulton, Muldrow, Murck, Neal, Nolan, Orth, Pacheco, Paul, Pettibone, Phister, Prescott, Ranney, Richardson, John S.; Russell, Scoville,*

*Shackelford, Shultz, Sing'eton, James W. Skinner, Scranton, Smith, Dietrich C.; Smith, J. Hyatt; Sparks, Steele, Thomas, Thompson, P. B.; Thompson, William G.; Valentine, Van Voorhis, Wadsworth, Walker, Watson, West, Wise, Morgan R.; Wood, Benjamin, Wood, Walter A.*

So (two-thirds voting in favor thereof) the bill was passed.

#### The Senate passes the Bill over the President's Objections.

Mr. HALE. I call for the yeas and nays.

The PRESIDENT *pro tempore*. Necessarily the question will have to be by yeas and nays. The question is, Shall the bill pass, the objection of the President to the contrary notwithstanding? Each Senator as his name is called if he is in favor of the passage of the bill notwithstanding the objection of the President will vote "yea."

The Principal Legislative Clerk proceeded to call the roll.

\* \* \* \* \*

The roll-call having been concluded,

the result was announced—yeas 41, nays 16; as follows:

YEAS—Aldrich, Allison, Anthony, Brown, Butler, Call, Camden, Cameron of Wisconsin, Cockrell, Coke, Couger, Davis of West Virginia, Dawes, Farley, Ferry, George, Gorman, Grover, Hampton, Hoar, Jackson, Jonas, Jones of Florida, Jones of Nevada, Kellogg, McDill, McMillan, Maxey, Miller of California, Miller of New York, Pugh, Ransom, Saunders, Sawyer, Sherman, Slater, Vest, Voorhees, Walker, Williams, Windom—41.

NAYS—Bayard, Blair, Cameron of Pennsylvania, Davis of Illinois, Frye, Hale, Harrison, Hawley, Ingalls, Logan, Morrill, Pendleton, Platt, Rollins, Saulsbury, Van Wyck—16.

ABSENT—Beck, Chilcote, Edmunds, Fair, Garland, Groome, Harris, Hill of Colorado, Hill of Georgia, Johnston, Lamar, Lapham, McPherson, Mahone, Mitchell, Morgan, Plumb, Sewell, Vance—19.

The PRESIDENT *pro tempore*. On the question whether the bill shall pass, the President's objections to the contrary notwithstanding, the question is determined in the affirmative; forty-one Senators voting in the affirmative and sixteen in the negative. So the bill is passed.

## CHAPTER IX.

### The Chinese Question.

#### PART I.

#### Chinese Question in California.

**Democrats in California Legislature Proposed in 1852 to legalize Contracts for Chinese Labor—The Peachy bill—They vote against Taxing Chinamen—In 1856 30,000 Chinamen in California—Report in favor of Chinamen—Democrats defeat efforts in 1856 to exclude Chinamen—First Republican Governor of California proposes to prohibit Chinese Immigration—Democratic Supreme Court decide in favor of Chinese—Democrats voted against restricting the employment of Chinamen.**

In March, 1852, Mr. Peachy, a Democratic member of the California Legislature (also Democratic) introduced a bill to legalize contracts for labor made in China, which provided that such contracts should be good for five years,

and might be made assignable. Any laborer brought under contract, who should attempt to leave his master, could be arrested and then compelled to work out his term of service. This measure, known as the Peachy bill, passed the Lower House. It was supported by the author, Mr. Peachy, and by Mr. Roach and Mr. Hagar—all distinguished Democrats.

Shortly after this a bill was introduced into the California Legislature taxing Chinamen. This the Democratic majority refused to pass.

Mr. Hagar also introduced the following resolution:

*Whereas*, California is nearer China than any other State, and a valuable commerce has been opened up:

*Resolved*, That a Commission be appointed to go to China.

An amendment to substitute South America was defeated, and the Hagar resolution passed by 16 to 3.

In 1852 a Whig member of the California Legislature offered a bill known as the Miner's tax, imposing a head-tax on all aliens working mining claims. It



was incontinently laid on the table by the Democratic majority. At that time there were 25,000 Chinese in the State.

In 1856 there were 30,000 Chinese in California. Labor demanded their exclusion. The Democratic Legislature appointed a Democratic Committee of Inquiry which reported as follows:

We say the tendency is not towards corruption. We think they have done us no harm.

In 1859, Mr. Weller, a Democratic Governor of California, declared that:

We have cause to rejoice that this great nation (China) has been subjected to the law of nations.

The cause of this rejoicing was the treaty with China, concluded a year previous by Mr. Reed, a Democratic Minister to China, ratified by a Democratic Senate, and proclaimed by Buchanan, a Democratic President.

In 1862, the first Republican Governor of California, in his first annual message, said:

Asia, with her immense population, is sending her people here, and I will be glad to co-operate with any movement having for its object the prohibition of Chinese immigration.

Mr. W. H. Sears, a leading Republican, offered a bill to protect white labor. A bill was substituted to levy a miner's tax. This measure a Democratic Supreme Court subsequently declared unconstitutional.

A bill to levy a tax on all Chinese in the State was also defeated by Democratic votes.

The Burlingame treaty was negotiated during Andrew Johnson's term, and a Democratic Governor of California (Haight) welcomed the Embassy to our shores and poured over it the unctuous ointment of extravagant eulogy.

In 1869, when labor in California was distressed, there was pending before the Democratic Legislature of the State a bill granting a large body of tide lands to a railroad corporation. To this an amendment was offered prohibiting the employment of Chinese by the beneficiary. Of the 42 votes recorded against that amendment 32 were cast by Democrats.

## PART II.

### Republican Record Against Chinese Immigration, &c.

Action in Congress on Chinese Question—Republicans Pass Act Prohibiting Importation of Coolies—Sumner's Resolution to Suppress the Coolie Traffic—Resolutions by Republicans in and Action of Congress Against

### Chinese Immigration—President Grant Opposes Chinese Immigration.

On the 4th of December, 1861, Thomas D. Elliott, of Massachusetts, a Republican Representative in Congress, offered a bill prohibiting the importation of coolies. It passed both Houses and was approved by Abraham Lincoln, February 15, 1862. Mr. Aaron A. Sargent, then a Representative from California, spoke at length against Chinese immigration.

On January 16, 1867, Mr. Charles Sumner secured the passage of a resolution asking other nations to join us in attempts to suppress the coolie traffic, and in May, 1868, he secured the passage of a bill extending the provisions of the Elliott act to all Oriental nations.

In July, 1870, Senator Stewart, of Nevada, a Republican, secured the passage of a resolution calling for further information on the coolie traffic.

In the House, the same year, Mr. Sargeant offered a bill aimed at contracts for servile labor.

In 1871, Mr. Cogan, of California, offered a bill prohibiting the migration and employment of coolies, which was defeated by the action of Mr. Beck, of Kentucky, then a Democratic member of the House.

In December, 1873, Mr. Page, of California, offered a bill prohibiting the importation of Chinese coolies and prostitutes, which bill passed in 1875.

In 1874, Mr. Page offered a resolution of inquiry, following the President's message on the subject. In that paper, delivered December 7, 1874, President Grant urged the passage of measures to suppress the importation of coolies. He said:

I call the attention of Congress to a generally conceded fact, that the greater proportion of Chinese immigrants \* \* \* do not come voluntarily, \* \* \* but come under contracts with head-men who own them almost absolutely. In a worse form does this apply to Chinese women. \* \* \* If this evil practice can be legislated against, it will be my pleasure as well as duty to enforce any regulations to secure so desirable an end.

In the following year President Grant again referred to the subject.

On January 16, 1874, Mr. Page, of California, offered a joint resolution abrogating the Burlingame treaty.

January 13, 1875, Senator Sargent offered a bill excluding the Chinese from naturalization; and in April, 1876, offered a resolution providing for a modification of the treaty with China. In 1878, through the exertions of Senator Sargent, aided by others of the Pacific coast delegations in Congress, a resolution was passed calling upon the Executive to open negotiations at once for such modification of the Burlingame treaty as would exclude Chinese immigrants.

Mr. Sargent offered bills in 1876 to check the immigration; Mr. Page also in 1874, to protect persons both against forcible restraint and involuntary servitude. He also offered bills in 1878 forbidding the carrying of Chinese passengers on vessels paid for carrying the United States mails; also levying a per capita tax on each passenger of an amount sufficient to be prohibitory.

Representative Davis, of California, in 1878, offered a bill restricting the Chinese immigrant traffic, by not allowing more than ten persons on any one vessel.

On July 7, 1876, Mr. Sargeant offered a resolution calling for the opening of negotiations for the modification of the Burlingame treaty, and Mr. Morton offered a substitute providing for sending a committee of inquiry to the Pacific coast. This was accepted by Mr. Sargeant and adopted.

### PART III.

## Further Record of the two Parties on the Chinese Question.

**First Memorial of Californians tabled in Democratic House—Action of Cincinnati Convention of 1876 on Chinese Question—Chinese Bill vetoed by President Hayes—Chinese Commission under President Hayes—Treaties with China under President Hayes giving power to United States to regulate and limit Chinese Immigration, etc.**

The first memorial to Congress from California was a resolution of its Legislature sent in May, 1874, asking that the State be granted the right to tax Chinese immigrants. Congress was strongly Democratic and paid no attention to it whatever.

Other resolutions were offered from time to time by Mr. Johnson of Cal., Mr. Munger of Ohio, Mr. Piper, and Mr. Lynde of Wisconsin.

The Republican National Convention which met in 1876 at Cincinnati, adopted a resolution, offered by Senator Jones of Nevada, as follows:

It is the immediate duty of Congress fully to investigate the effect of the immigration and importation of Mongolians on the moral and material interests of the country.

In 1879 Congress passed a bill prohibiting the owner or master of any vessel from landing in the United States more than fifteen Chinese passengers on one voyage. This bill was vetoed by President Hayes on the ground that Congress had no authority to abrogate at

will a treaty entered into with a foreign nation; that the proposed law would contravene the sixth article of the Burlingame treaty, "by whose reciprocal engagements the citizens and subjects of the two governments, respectively visiting or residing in the country of the other, are secured the same privileges, immunities, or exemptions there enjoyed by the citizens or subjects of the most favored nations; "that the denunciation of one part of the treaty necessarily liberates the other party from the whole treaty, and that, consequently, the immediate withdrawal of our treaty protection of the Chinese already in this country would expose our citizens in China, merchants, missionaries, and visitors, to the tender mercies of the people of China, with no treaty obligations to afford them any protection whatever to person or property.

In 1880 President Hayes appointed a commission, consisting of James B. Angell of Michigan, John F. Swift of California, and Wm. H. Trescott of South Carolina, with full powers to negotiate a treaty with China in modification of the Burlingame treaty. On the 5th of November of that year the following treaty was agreed upon:

**ARTICLE I.** Whenever in the opinion of the Government of the United States the coming of Chinese laborers to the United States, or their residence therein, affects or threatens to affect the interests of that country, or to endanger the good order of the said country, or of any locality within the territory thereof, the government of China agrees that the Government of the United States may regulate, limit, or suspend such coming or residence, but may not absolutely prohibit it. The limitation or suspension shall be reasonable and shall apply only to Chinese who may go to the United States as laborers, other classes not being included in the limitations. Legislation taken in regard to Chinese laborers will be of such a character only as is necessary to enforce the regulation, limitation, or suspension of immigration, and immigrants shall not be subjected to personal maltreatment or abuse.

**ART. II.** Chinese subjects, whether proceeding to the United States as teachers, students, merchants, or from curiosity, together with their body and household servants, and Chinese laborers who are now in the United States, shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favored nation.

**ART. III.** If Chinese laborers or Chinese of any other class, now either permanently or temporarily residing in the territory of the United States, meet with ill-treatment at the hands of any other persons, the Government of the United States will exert all its powers to devise measures for their protection and to secure to them the same rights, privileges, immunities, and exemptions as may be enjoyed by the citizens or subjects of the most favored nation, and to which they are entitled by treaty.

**ART. IV.** The high contracting Powers having agreed upon the foregoing articles, whenever the Government of the United States shall adopt legislative measure in accordance therewith, such measures will be communicated to the Government of China. If the measures as enacted are found to work hardship upon the subjects of China, the Chinese Minister at Wash-



ington may bring the matter to the notice of the Secretary of State of the United States, who will consider the subject with him, and the Chinese Foreign Office may also bring the matter to the notice of the United States Minister at Peking and consider the subject with him. To the end that mutual and unqualified benefit may result.

In faith whereof the respective Plenipotentiaries have signed and sealed the foregoing, at Peking, in English and Chinese, being three originals of each text of even tenor and date, the modifications of which shall be exchanged at Peking within one year from date of its execution.

Another treaty was agreed upon at the same time which prohibited the opium traffic between the two countries, regulated the tonnage dues and duties for imports on the basis of similar dues or duties imposed on the vessels and goods of other nations, and providing that controversies arising in China between citizens of the United States and Chinese subjects should be tried by the proper official of the nationality of the defendant.

These treaties were subsequently ratified by the two powers.

## PART IV.

### The Chinese Bill of 1882.

On January 26, 1882, Mr. Miller of California, introduced into the Senate a bill from the Committee on Foreign Relations, entitled "A bill to execute certain treaty stipulations relating to Chinese," which on March 9, after being amended, passed the Senate. Yeas 29, nays 15.

YEAS.—Messrs. Bayard, Beck, Call, Cameron of Wisconsin, Cockrell, Coke, Fair, Farley, Garland, George, Gorman, Hale, Harris, Hill of Colorado, Jackson, Jonas, Jones of Nevada, Miller of California, Miller of New York, Morgan, Pugh, Ransom, Sawyer, Slater, Teller, Vance, Vest, Voorhees, Walker—29.

NAYS.—Messrs. Aldrich, Allison, Blair, Brown, Conger, Davis of Illinois, Dawes, Edmunds, Frye, Hoar, Ingalls, Lapham, McDill, McMillan, Morrill—15.

In the House, on March 23, this bill was passed—yeas 167, nays 66.

YEAS.—Messrs. Aiken, Aldrich, W. Armstrong, Atkins, Bayne, Belford, Belmont, Berry, Bingham, Blackburn, Blanchard, Bliss, Blount, Brewer, Brumm, Buckner, Burrows (Julius C.), Butlerworth, Cabell, Caldwell, Calkin, Campbell, Cannon, Cassidy, Caswell, Chalmers, Chapman, Clark, Clements, Cobb, Converse, Cook, Cornell, Coz (Samuel S.), Coz (William R.), Covington, Cravens, Culberson, Curtin, Darrell, Davidson, Davis (George R.), Davis (Lowndes H.), DeMotte, Deuster, Dezendorf, Dibble, Dibbitt, Dowd, Dugrow, Ermentrout, Errett, Farwell (Charles B.), Finley, Flower, Ford, Forney, Fulkerson, Garrison, Geddes, George, Gibson, Guenther, Gunter, Hammond (N. J.), Hardy, Harmer, Harris, (Henry S.), Hazeltine, Hatch, Hazleton, Heilman, Herndon, Hewitt (Abram S.), Hill, Hiscok, Hobbitzell, Hoge, Holman, Horr, Houk, House, Hubbell, Hubbs, Hutchins,

Jones, (George W.), Jones (Jas. K.), Jorgensen, Kenna, King, Klotz, Knoll, Ladd, Leedom, Lewis, Marsh, Martin, Malsen, McClure, McCook, McKenzie, McKinley, McLane, McMillan, Miller, Mills, Morey, Morey, Moulton, Murch, Mutchler, O'Neill, Pacheco, Page, Paul, Payson, Peelle, Phelps, Phister, Pound, Randall, Reagan, Rice Richardson (John S.), Robertson, Robinson (Wm. E.), Rosecrans, Scranton, Shallenberger, Sherwin, Simonton, Singleton (Otho R.), Smith (A. Herr), Smith (Dietrich C.), Smith (J. Hyatt), Sparks, Spaulding, Spear, Springer, Stockslager, Strait, Ta'butt, Thomas, Thompson (P. B.), Tiltman, Townsend, (Amos), Townshend (R. W.), Tucker, Turner (Henry G.), Turner (O.), Updegraff (J. T.), Upson, Valentine, Vance, Van Horn, Warner, Washburn, Weber, Wellborn, Whithorne, Williams (Thomas), Willis, Wilson, Wise (Geo. D.), Wise (Morgan R.), Wood (Walter A.)—167.

NAYS.—Messrs. Anderson, Barr, Bragg, Briggs, Browne, Buck, Camp, Chandler, Carpenter, Chase, Crapo, Cullen, Dawes, Duering, Dingley, Dnnnell, Dwight, Farwell (Sewell S.), Grout, Hall, Hammond, (J.), Hardinburgh, Harris (Benj. W.), Haskell, Hawk, Henderson, Hepburn, Hoker, Humphrey, Jacobs, Jones (Phineas), Joyce, Kasson, Ketcham Lord, McCoid, Morse, Norcross, Orth, Parker, Ranney, Reed, Rice (John B.), Rice (William W.), Rich, Richardson (D. P.), Ritchie, Robinson (George D.), Russell, Ryan, Shultz, Skinner, Spooner, Stone, Taylor, Thompson (Wm. G.), Tyler, Updegraff (Thomas), Urner, Wadsworth, Wait, Walker, Ward, Watson, White, Williams—66.

**Provisions of Bill as Passed—Suspends after ninety days' Chinese Emigration for 20 years—Prohibits State Courts from Admitting Chinese to Citizenship—Words "Chinese Laborers" to mean both Skilled and Unskilled Laborers, &c.**

The first section of the bill as passed was as follows:

*Whereas* in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the expiration of ninety days next after the passage of this act, and until the expiration of twenty years next after the passage of this act, the coming of Chinese laborers to the United States be, and the same is hereby, suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or, having so come after the expiration of said ninety days, to remain within the United States.

Sections 16 and 17 were as follows:

SEC. 16. That hereafter no State court or court of the United States shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed.

SEC. 17. That the words "Chinese laborers," wherever used in this act, shall be construed to mean both skilled and unskilled laborers and Chinese employed in mining.

The other sections relate to the proper execution of the provisions of the first section, and the imposition of penalties for its violation, one section providing for the registration of such Chinese as are entitled to enter, or remain in the United States, by the terms of the bill.

## PART V.

**President Arthur Vetoes the Bill.**

**The President Objects to the Twenty Years Limit as a Breach of our National Faith—Objects to the Requirements of Registration and Passports as Undemocratic and Hostile to the Spirit of our Institutions—Objects that the Bill makes No Provision for Chinese Transit across United States.**

President Arthur vetoed the bill. In his message to Congress his principal objections to the bill were stated as follows:

The examination which I have made of the treaty, and of the declarations which its negotiators have left on record of the meaning of its language, leaves no doubt in my mind that neither contracting party in concluding the treaty of 1880 contemplated the passage of an act prohibiting immigration for twenty years, which is nearly a generation, or thought that such a period would be a reasonable suspension or limitation, or intended to change the provisions of the Burlingame treaty to that extent. I regard this provision of the act as a breach of our national faith; and being unable to bring myself in harmony with the views of Congress on this vital point, the honor of the country constrains me to return the act with this objection to its passage.

I think it may be doubted whether provisions requiring personal registration and the taking out of passports which are not imposed upon natives can be required of Chinese. Without expressing an opinion on that point, I may invite the attention of Congress to the fact that the system of personal registration and passports is undemocratic and hostile to the spirit of our institutions. I doubt the wisdom of putting an entering wedge of this kind into our laws. A nation like the United States, jealous of the liberties of its citizens, may well hesitate before it incorporates into its polity a system which is fast disappearing in Europe before the progress of liberal institutions.

My attention has been called by the Chinese minister to the fact that the bill as it stands makes no provision for the transit across the United States of Chinese subjects now residing in foreign countries. I think that this point may well claim the attention of Congress in legislating on this subject.

**A New Bill Embracing the President's Views Introduced and Passed.**

A new bill was immediately prepared and passed to meet the views of the President. It passed the House April 17, 1882—yeas 202, nays 37.

YEAS.—Messrs. Aiken, Aldrich, Anderson, Armfield, Atkins, Bayne, Beach, Belford, Berry, Bingham, Blackburn, Blanchard, Bland, Blount, Buchanan, Buckner, Burrows, Julius C.; Burrows, Joseph H.; Butterworth, Cabell, Caldwell, Calkins, Camp, Campbell, Cannon, Carlisle, Cassidy, Caswell, Chace, Chalmers, Chapman, Cardy, Clark, Clements, Cobb, Colerick, Converse, Cook, Cox, Samuel S.; Covington, Cravens, Culberson, Cullen, Curtin, Darrell, Davidson, Davis, George R.; Davis, Lowndes H.; DeMotte, Deuster, Dezendorf, Dibrell, Dibble, Doud, Dunnell, Ermentrout, Errett, Evans, Farwell, Charles B.; Finley, Fisher, Flower, Ford, Forney, Fulkerson, Ged-

des, George, Gibson, Guenther, Gunter, Hammond, N. J.; Hardy, Harmer, Harris, Henry S.; Haseltine, Haskell, Hatch, Hawley, Hazelton, Heiman, Herbert Herndon, Hewitt, Abram S.; Hewitt, G. W.; Hill, Hiseock, Hoblitzell, Hoge, Holman, Horr, Houk, House, Hubbs, Hutchins, Jacobs, Jadwin, Jones, George W.; Jones, James K.; Jorgensen, Kasson, Kelcy, Kenna, Ketcham, Klotz, Knott, Lacey, Ladd, Latham, Leedom, Le Fevre, Lewis, Lord, Manning, Marsh, Mason, Matson, McClure, McCook, McKenzie, McKinley, McLane, Miles, Miller, Money, Morey, Morrison, Mosgrove, Moulton, Muldrow, Murch, Neal, Nolan, Oates, O'Neill, Pacheco, Page, Paul, Payson, Peelle, Peirce, Phelps, Pound, Prescott, Randall, Rangan, Reed, Rice, Theron M.; Rich, Robertson, Robeson, Robinson, George D.; Robinson, James S.; Robinson, William E.; Rosecrans, Ross, Russell, Ryan, Scranton, Shackelford, Shallenberger, Shelley, Sherwin, Simonson, Singleton, Otho R.; Smith, A. Herr, Smith, B. C.; Smith, J. H.; Sparks, Spaulding, Spear, Spooner, Springer, Steele, Strait, Talbot, Tillman, Townsend, Amos, Townsend, E. W.; Tucker, Turner, Henry G.; Turner, Oscar; Tyler, Updegraff, J. T.; Upson, Urner, Valentine, Vance, Van Horn, Wait, Warner, Webster, Wellborn, West, Wheeler, White, Withorne, Williams, T.; Willis, Willis, Wise, George D.; Wise, M. R.—202.

NAYS.—Messrs. Bowman, Bragg, Briggs, Buck, Carpenter, Crapo, Dawes, Deering, Dingley, Dwight, Farwell, Sewell S., Grout, Hall, Hamden, Hardenbergh, Humphrey, Joyce, McCoid, Moore, Morse, Norcross, Orth, Parker, Ranner, Ray, Rice, John B.; Rice, William W.; Ritchie, Shultz, Skinner, Stone, Thompson, Van Aernam, Van Voorhis, Wadsworth, Ward, Williams, C. G.—37.

And on April 25, the bill, after being amended, was passed in the Senate—yeas 32, nays 15.

YEAS.—Messrs. Beck, Butler, Call, Cameron of Wisconsin, Chilcott, Coke, Davis of Illinois, Fair, Farley, Garland, George, Grover, Hale, Hampton, Harris, Hill of Colorado, Johnston, Jonas, Jones of Nevada, Macey, Miller of California, Miller of New York, Morgan, Pendleton, Pugh, Saunders, Slater, Vance, Van Wyck, Vest, Walker, Williams—32.

NAYS.—Messrs. Allison, Blair, Conger, Dawes, Edmunds, Frye, Harrison, Hawley, Hoar, Ingalls, Lapham, McMillan, Morrill, Platt, Sherman—15.

The Senate amendments were concurred in by the House, and the bill became a law by the signature of the President.

**Principal Sections of Bill as Passed and Approved by President Arthur.**

The following principal sections of the law as passed under the recommendation of President Arthur:

An Act to execute certain treaty stipulations relating to Chinese.

Whereas, in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof, Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the expiration of ninety days next after the passage of this act, and until the expiration of ten years next after the passage of this act, the coming of Chinese laborers to the United States be, and the same is hereby, suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or, having so come after the expiration of said ninety days, to remain within the United States.



SEC. 4. That for the purpose of properly identifying Chinese laborers who were in the United States on the seventeenth day of November, eighteen hundred and eighty, or who shall have come into the same before the expiration of ninety days next after the passage of this act, and in order to furnish them with the proper evidence of their right to go from and come to the United States of their free will and accord, as provided by the treaty between the United States and China dated November seventeenth, eighteen hundred and eighty, the collector of customs of the districts from which any such Chinese laborer shall depart from the United States shall, in person or by deputy, go on board each vessel having on board any such Chinese laborer and cleared or about to sail from his district for a foreign port, and on such vessel make a list of all such Chinese laborers, which shall be entered in registry-books to be kept for that purpose, in which shall be stated the name, age, occupation, last place of residence, physical marks or peculiarities, and all facts necessary for the identification of each of such Chinese laborers, which books shall be safely kept in the custom-house; and every such Chinese laborer so departing from the United States shall be entitled to, and shall receive, free of any charge or cost upon application therefor, from the collector or his deputy, at the time such list is taken, a certificate, signed by the collector or his deputy and attested by his seal of office in such form as the Secretary of the Treasury shall prescribe, which certificate shall contain a statement of the name, age, occupation, last place of residence, personal description, and facts of identification of the Chinese laborer to whom the certificate is issued, corresponding with the said list and registry in all particulars. In case any Chinese laborer after having received such certificate shall leave such vessel before her departure, he shall deliver his certificate to the master of the vessel, and if such Chinese laborer shall fail to return to such vessel before her departure from port the certificate shall be delivered by the master to the collector of customs for cancellation. The certificate herein provided for shall entitle the Chinese laborer to whom the same is issued to return to and re-enter the United States upon producing and delivering the same to the collector of customs of the district at which such Chinese laborer shall seek to re-enter; and upon delivery of such certificate by such Chinese laborer to the collector of customs at the time of re-

entry in the United States, said collector shall cause the same to be filed in the custom-house and duly canceled.

SEC. 5. That any Chinese laborer mentioned in section four of this act being in the United States, and desiring to depart from the United States by land, shall have the right to demand and receive, free of charge or cost, a certificate of identification similar to that provided for in section four of this act to be issued to such Chinese laborers as may desire to leave the United States by water; and it is hereby made the duty of the collector of customs of the district next adjoining the foreign country to which said Chinese laborer desires to go to issue such certificate, free of charge or cost, upon application by such Chinese laborer, and to enter the same upon registry-books to be kept by him for the purpose, as provided for in section four of this act.

SEC. 6. That in order to the faithful execution of articles one and two of the treaty in this act before mentioned, every Chinese person other than a laborer, who may be entitled by said treaty and this act to come within the United States, and who shall be about to come to the United States, shall be identified as so entitled by the Chinese government in each case, such identity to be evidenced by a certificate issued under the authority of said government, which certificate shall be in the English language or (if not in the English language) accompanied by a translation into English, stating such right to come, and which certificate shall state the name, title, or official rank, if any, the age, height, and all physical peculiarities, former and present occupation or profession, and place of residence in China of the person to whom the certificate is issued and that such person is entitled conformably to the treaty in this act mentioned to come within the United States. Such certificate shall be *prima facie* evidence of the facts set forth therein, and shall be produced to the collector of customs, or his deputy, of the port in the district in the United States at which the person named therein shall arrive.

SEC. 14. That hereafter no State court or court of the United States shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed.

SEC. 15. That the words "Chinese laborers," wherever used in this act, shall be construed to mean both skilled and unskilled laborers and Chinese employed in mining.

Approved May 6, 1882.

## CHAPTER X.

## Confederate Soldiers under Democratic Congress— Union Soldiers in the Departments.

"RESOLVED, That the soldiers and sailors of the Republic, and the widows and orphans of those who have fallen in battle, have a just claim upon the care, protection and gratitude of their fellow-citizens,"  
—Democratic National Platform of 1876.

"\* \* \* Experience proves that efficient, economical conduct of the governmental business is not possible if its civil service be subject to change at every election, be a prize fought for at the ballot-box, be a brief reward of party zeal, instead of posts of honor assigned for proved competency, and held for fidelity in the public employ." \* \* \* —Democratic National Platform of 1876.

"We pledge ourselves anew to the constitutional doctrines and traditions of the Democratic Party, as \* \* \* embodied in the Platform of the last National Convention of the Party." —Democratic National Platform of 1880.

## PART I.

### Democratic Civil Service Reform in the House— Wounded and Crippled Union Soldiers Kicked Out to Give Place to Rebel Soldiers—"Dinna ye hear the Slogan"—'Tis Jeff Davis and His Men.

On the 14th day of December, 1875, Mr. Fort, Republican, made an effort to prevent wounded Union soldiers from being set aside by the then Democratic House, and to that end introduced the following

#### Resolution Favoring Wounded Union Soldiers:

*Resolved*, That in all subordinate appointments, under any of the officers of this House, it is the judgment of this House that wounded Union soldiers, who are not disabled from performance of duty, should be preferred.

Upon this he demanded the previous question; but the Confederate element was too strong for him and the House refused to second it!

**Citizen Samcox to the Rescue—He Voices Confederate Sentiment on that Question, and all the Democrats, but two, Cry "Amen!"**

Thereupon S. S. Cox offered the following substitute and moved its reference to the Committee on Accounts:

*Resolved*, That inasmuch as the Union of the States has been restored, all the citizens thereof are entitled to consideration in all appointments to offices under this Government.

The vote on the motion was yeas, 168; nays, 102. Of those voting in the affirmative

166 were Democrats and two were Republicans. Of those voting in the negative 100 were Republicans and two were Democrats. This resolution, having virtually declared in favor of placing rebels on an equality with wounded Union soldiers, was in strict accordance with Democratic usage, and hence commanded its undivided support.

#### A Patriotic, but carefully worded, Resolution which Commanded the Support of Both Parties.

On the 5th of January, 1876, the holiday recess having intervened, Mr. Cason, Republican, offered the following resolution:

*Be it resolved, etc.*, That we recognize the brave and gallant services rendered by the loyal soldier to his country in the time of its greatest need and peril, and that we do earnestly recommend to the people of our common country the utmost care and watchfulness over the rights and interests of these brave men, securing to each one in need of employment and to such and their families the necessities and comforts of life; and in all cases of public employment and in the bestowment of the emoluments of office, that, all other things being equal, the soldier shall have the preference over the civilian; and, as one branch of the legislative department of this Government, we are in favor of laws being enacted by Congress giving liberal pensions to the deceased and crippled soldiers, and to the widows and children and dependent fathers and mothers of those who have died from wounds or disease contracted while in the service of the Union army, and to each living soldier, and to the widows and heirs of those dead, such bounties and homesteads as a generous Government can afford to those who have won and preserved to the nation its liberty and Constitution.

The previous question being demanded was seconded by 142 yeas to 9 nays, and the resolution was agreed to by Republicans and Democrats alike, the latter interpreting the words:—"the soldier shall have the preference"—to mean either the Confederate or the Union soldier.



**Democratic Interpretation of the Cason Resolution — Pecksniffian Hypocrisy Exploded.**

That the Democrats did so interpret the foregoing resolution is shown by the vote on the following resolution, introduced on the same day, by Mr. Fort:

*Resolved*, That the doctrine just announced by the House in the resolution of the gentlemen from Indiana (Mr. Cason) is so wise and just that, in the judgment of this House, *it should be followed by officers of the House in filling subordinate places under their authority; and that in all such cases they are hereby instructed to give to well-qualified Union soldiers preference over soldiers of the late Confederate army.*

On this, he demanded the previous question, but the Democratic House refused to second it, by 93 yeas to 103 nays. Thereupon Fernando Wood, by way of adding insult to injury, sneeringly moved to refer the resolution to the *Committee on Centennial Celebration*—which motion was agreed to by 122 yeas to 93 nays—all the yeas being Democrats.

## PART II.

**“Civil Service Reform” in a Democratic Senate—A Rule, adopted in 1854 for “Spoils,” is Abrogated in 1879 for “Spoils”—Confederate Soldiers to the Fore, and Union Soldiers Bounced.**

When it became evident to the Democratic Senate, in 1854, that the term of Democratic ascendancy in that body was about to expire, it appointed a select committee to devise a plan to keep the Democratic officers of that body in their places, and accordingly the following resolution was concocted, and on January 17, 1854, it passed the Senate by a decisive vote, and became a standing rule of the Senate:

*Resolved*, That the several officers and others in the departments of the Secretary of the Senate and of the Sergeant-at-Arms shall be appointed and removed from office by those officers respectively as heretofore; but when made during the session of the Senate any such removal to be first approved by the President of the Senate on reasons to be assigned therefor in writing by the officer making the removal, and when in the recess, such reasons in writing to be laid before the President of the Senate on the first day of the succeeding session, and to be approved or disapproved by him.

**The Republicans Adhered to the Rule, and Allowed the Democratic Officers to Live and Die in their Places—But the Democrats Kill Their Own**

**Offspring in order to Feed Hungry Rebels.**

When the Republicans came into power they made no effort to disturb that rule, nor to disturb the old officers, who, in the course of years died out or resigned, one by one, as age or other callings beckoned them. Thus it remained—this Democratic rule—through all the years of the Republican majority in the Senate. But early in 1879, the Democrats having a majority at the extra session of that year, and being importuned by a ravenous multitude of Southern and other Democratic place-hunters, determined—as they could not get the President of the Senate to consent to the removal of the experienced and efficient Republicans in the offices of the Secretary and Sergeant-at-Arms—to annul the rule that their own party had made—to go back on their own offspring, as it were—in order to get the few “loaves and fishes” pertaining to the Senate organization. This was decided on in caucus, and Senator Wallace, the chairman of that Democratic Senatorial caucus, undertook to engineer the thing through, and on the 17th of April, 1879, offered the following

**Democratic Caucus Resolution:**

*Resolved*, That the several officers and others in the departments of the Secretary of the Senate and of the Sergeant-at-Arms shall be appointed and removed from office by those officers respectively.

**Senator Edmunds' Effort to Protect Union Soldiers.**

Mr. Edmunds thereupon moved to amend by adding the following:

But no officer or employee of the Senate who served in the forces of the United States in suppressing the late rebellion shall be removed except for cause stated in writing to the President of the Senate and approved by him in writing.

Mr. Wallace assured Senator Edmunds that “*there need be no apprehension on this apparently tender subject*,” and that the Democratic majority had no intention of removing Union Soldiers who held offices under the Senate.

**Senator Conkling Exposes Wallace's Duplicity.**

Mr. Conkling then rose and expressed his “surprise” at the statement, and continued as follows:

I assert that they [the Democratic majority] have already acted in violation of what the Senator says. I assert that they have *already removed a Union Soldier—a man who served in the armies of the Union and was discharged because of the injuries he received*, and yet the honorable Senator says it is not worth while to guard this because the majority may be trusted to abstain, much as the overseer may be trusted to abstain from the lash! \* \* \* I refer to Mr. Fitz who has been removed from a position in the office of the Secretary of the Senate, a position whose duties he never neglected or came short in.

**Democratic Unanimity in favor of the Confederate Soldier and against the Union Soldier.**

Of course the adoption of such an amendment as that of Mr. Edmunds, would defeat one of the very objects of the repeal of the old rule. *Union Soldiers were the very fellows the old brigadiers were "gunning for."* Hence, when, on April 25, 1879, the amendment came to a vote, while *every Republican voted for the amendment, every Democrat voted against it!*

**Senator Carpenter Makes One More Effort in Favor of Loyalty as Against Treason—But is Defeated by a Strict Party Vote.**

Senator Carpenter then moved to add the following:

But no office or employment made vacant by the removal or dismissal of a person who served in the forces of the Union, during the late war shall be filled or supplied by the appointment or employment of any person who served in the Confederate army at any time during said war.

Of course that also was voted down—yeas 26, nays 34,—all Republicans voting for the amendment and all Democrats against it.

**To the Victors Belong the Spoils—The Resolution Adopted and the Work of "Civil Service Reform" Begun.**

Mr. Wallace's rule was then adopted by a strict party vote. Having thus removed the only legal impediment to the expulsion of the old employees, the Secretary of the Senate and Sergeant-at-Arms at once began the work of proscription. "To the victors belong the spoils." Loyal employes, maimed soldiers, and efficient and experienced officials were indiscriminately swept from the offices of the Senate—many of their places supplied by Confederates, and all by raw and inexperienced persons.

**Wholesale Slaughter of Union Soldiers to Make Vacancies for Rebel Soldiers—The Wounded, Maimed and Disabled Alike Fall the Victims of Democratic Hate of Union Soldiers—Their Places Filled by Rebel Brigadiers, Colonels and Captains.**

As soon as the Democrats obtained full possession of the Capitol the work of proscribing all who had a taint of loyalty was begun. Seventy-six Union soldiers at once fell victims to Democratic hatred of these representatives of the force which saved the Union from destruction. Of these about one-half were soldiers who bore upon their bodies the evidence of their political principles in the shape of wounds.

Their places were filled by eighty-eight soldiers from the army of treason.

PART III.

**The Washington Police—  
"Put None but Confederates on Guard," will be the Watchword when Democrats obtain full Power—The preliminary Steps already taken.**

Section 354 of the Revised Statutes provides that no person shall serve on the Washington police force who has not served in, and been honorably discharged from either the Army or the Navy of the United States.

June 9, 1880, in the Senate, pending the bill (S. 1394) to increase the police force of the District of Columbia, the following amendment was reported from the Committee on the District of Columbia:

SEC. 2. That so much of section 354 of the Revised Statutes of the United States, relating to the District of Columbia, as requires that "no person shall be appointed as policeman or watchman who has not served in the Army or Navy of the United States and received an honorable discharge," be and the same is hereby repealed.

The clause was agreed to by a vote of yeas 25, nays 15—all the yeas being Democrats and all the nays Republicans.

The proposition had originally passed the House. In the debate which ensued in the Senate, the Republicans resisted the repeal on the ground that the time has not yet come when the Union soldier should be set aside for the Confederate soldier. *But Mr. Beck insisted on the repeal, and announced the existing law excluding Confederates as the meanest vengeance towards a political opponent (meaning an ex-Confederate), or the lowest demagogry, and it was practically announced as the future policy of the Democracy, in all matters of appointments, that the Confederates were to have at least an "equal chance."*

PART IV.

**Senator Harrison's Report on Voorhees' Resolution—The Man Who Denounced Union Soldiers as "Lincoln's Dogs" in 1864, is Solicitous for their Welfare in 1882.**

On the 16th of March, 1882, Senator Voorhees, of Indiana, the gentleman



who, in 1864, denounced Union soldiers as "Lincoln hirelings," "Lincoln dogs, with collars around their necks, labeled 'A. Lincoln,' etc., etc., introduced in the Senate the following resolution:

*Whereas*, the following provision of law, enacted in 1865, is contained in section 1754 of the Revised Statutes of the United States, to wit:

"Persons honorably discharged from the military and naval service by reason of disability, resulting from wounds or sickness incurred in the line of duty, shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices."

Therefore, be it

*Resolved*, That the Committee on Military Affairs be, and they are hereby, instructed to inquire into, and report to this body—

1st. Whether said section is in full force and effect, or whether it has been in manner repealed, modified, or rendered nugatory and void.

2d. Whether said section has been faithfully executed in appointments to civil offices under the government, or whether it has been openly and habitually disregarded and violated.

3. Whether the terms and meaning of said section apply to provost and deputy provost marshals, quartermasters, and sutlers who were not disabled in the military or naval service of the United States, or whether they apply solely to persons who have been honorably discharged from such service by reason of disability arising from wounds or sickness incurred in the line of duty; and,

4th. Whether any additional legislation is necessary to cause the provisions of this law to be carried out and enforced by the various departments of this government.

**Voorhees wants to know, You know—He fears that Union soldiers are not properly cared for by Republicans.**

The object which the Senator had in view is patent on the face of the resolution. He was fearful lest the government was neglecting these "Lincoln dogs," in not providing proper kennels for their accommodation, or proper collars for their identification. The only explanation which he vouchsafed is contained in the following words:

Considering the practices of this government and the various departments, I thought perhaps the law was one that had crept in and was disregarded because it was not binding. I thought it was possible, because it has been openly and habitually disregarded, as everybody knows.

The resolution was promptly passed and referred to the Committee on Military Affairs; and on July 3, 1882, Senator Harrison, from that committee, made a report, the substance of which is as follows:

**The Senate Committee Finds that the Law is In Force, in Letter and Spirit.**

To the first inquiry embraced in the resolution, the committee reported that the law is in full force, and also expressed the opinion that while section 1754 relates in terms only to disabled soldiers, the spirit of the law has a much wider scope. Section 1755

enacted at the same time, is as follows:

In grateful recognition of the services, sacrifices, and suffering of persons honorably discharged from the military and naval service of the country, by reason of wounds, disease, or the expiration of terms of enlistment, it is respectfully recommended to bankers, merchants, manufacturers, mechanics, farmers, and persons engaged in industrial pursuits, to give them preference for appointments to remunerative situations and employments.

This section, it will be observed, extends to all soldiers honorably discharged, whether for disability or expiration of their terms of enlistment, and it cannot be supposed that Congress intended to suggest to businessmen in their private employments a more liberal policy towards the soldiers than it was willing to adopt in the civil service of the country.

**Fifty-two Per cent. of Union Soldiers in the Treasury Department.**

Regarding the second inquiry the Committee reported that they had addressed to the heads of all the Executive Departments inquiries touching the matters under investigation, in response to which they received the following statements:

The Secretary of the Treasury reported that—

The records show that out of 1,548 appointments and reappointments from March, 1877, to March, 1882, 803 were persons who either served in the military or naval service, and were honorably discharged therefrom, or were widows or orphans of soldiers and sailors.

It will be seen that in the Treasury Department nearly 52 per cent. of all the appointments made since 1877 have involved a recognition of service rendered in the war by the appointee, or by a dead father or husband.

**Sixty-three Per Cent. of Union Soldiers in the War Department.**

The Secretary of War reported that the records of the War Department show that;

"Of the present number of civilian employees in the War Department 1,038 have been appointed since March 3, 1865, of which number there are 68 female and 15 boys, leaving as male adult appointees 995. Of this number 602 (or more than 63 per cent.) have served in the Army or Navy, and 137 (or more than 22 per cent. of those who served in the Army or Navy) were discharged for disability resulting from wounds or sickness incurred in the line of duty."

This letter from the Secretary of War is more directly responsive to the inquiry than others received, as it gives the per cent. of disabled soldiers. The committee have also learned by inquiry that of the 68 females reported as employed in the War Department, 23 are widows or orphans of soldiers.

### Thirty-four per cent. of Union Soldiers in the Interior Department.

The following is the response of the Secretary of the Interior :

STR: \* \* \* \* I beg leave to state that the said provision of law has been recognized and executed in the appointments made in this Department, so far as practicable, and that the records show that of the whole force, 457 persons, or more than **34 per centum** served either in the Army or Navy, and that of the female force of the Department, 128 persons, or more than **36 per cent.** are either widows, orphans, wives, or daughters of Union soldiers and sailors in the late rebellion.

### Thirty-Six Per Cent. of Union Soldiers in the Post Office Department.

The Postmaster General responded to the committee that—

The total number of employees in the Post Office Department is 496. Of these 108 are females. Of the remaining 388, 138 were either soldiers or sailors during the late war.

Considering the proportion of ex-soldiers and sailors now living to the total male adult population of the country, it seems to me the above statement shows that the section referred to is reasonably well executed in this Department.

It will be seen from this letter that nearly **36 per cent.** of the male employees of the Post Office Department served in the Army or Navy during the late war.

### Twenty-Five Per Cent. in the Department of Justice.

The Attorney General responded as follows :

Since I have held the office of Attorney-General there has been no instance wherein the provisions of section 1754 of the Revised Statutes have been disregarded or violated.

The applications of persons bearing the description given in that section will be considered by me, and when vacancies are to be filled they will be preferred, if they are found upon examination to have the capacity required by the law.

The letter of the Attorney-General does not give the per cent. of ex-soldiers employed in his department, but from a report made to the Senate in October, 1881, it appears little more than **25 per cent.** were of that class.

### Thirty-Four Per Cent. of Union Soldiers in the Navy Department.

The Secretary of the Navy replied that—

The statute has been duly obeyed, and, so far as I can learn in full accordance with both its letter and spirit.

I have only to add that this statute, giving honorably-discharged soldiers and sailors the preference in civil appointments, commends itself to my heart and judgment, and will be faithfully and fairly observed in this Department, while under my control.

This letter does not give the figures which were desired, but by reference to

a report of the Navy Department, made to the Senate in December last, it was ascertained by the committee that there were then 208 male employees in that department, of which number 72, or a little more than **34½ per cent.**, had served in the Army or Navy.

### Twenty-Five Per Cent. of Union Soldiers in the State Department—Forty Per Cent. in the Diplomatic and Consular Service.

The Secretary of the State responded :

1st. That since the passage of the resolution of the 3d of March, 1865, this Department has directed its efforts to a careful and faithful observance of the letter and spirit of that resolution.

The clerks and employees of this Department comprise less than 80, and most of them require special training, which can only be gained by long experience; but even of these, **25 per cent.** of the number of male clerks are discharged soldiers.

2d. In the diplomatic and consular service not less than **40 per cent.** of the whole number are honorably-discharged Union soldiers, and of them at least one-half are discharged for disability.

**The Senate not in Good Condition to Read Lectures to Others on Love for the Union Soldier—But its Love for the Confederate Soldier passeth the Love of a Woman—Fourteen per cent. of Union Soldiers and twenty-two per cent. of Confederate Soldiers in the employ of the Secretary of Senate.**

The committee then proceed to say :

Your committee feel that the Senate, having as a part of the national legislature helped to place section 1754 on the statute book, is as a body under peculiar obligations to enforce this law in selecting its own officers and employees. An inquiry of the Acting Secretary of the Senate upon this subject was answered by him as follows :

Then follows a table furnished by the Acting Secretary, on which the committee remarks :

It will be seen that a little over **14 per cent.** of the employees of the Secretary's Office served in the Union Army or Navy, while something over **22 per cent.** served in the Confederate Army.

**Sixteen Per Cent. of Union Soldiers in the Employ of the Sergeant-at-Arms of the Senate; and Fifteen Per Cent. of Confederate Soldiers.**

The Sergeant-at-Arms of the Senate furnished a roll of employees, with marks indicating "so far as known," the service rendered in either the Union or Confederate service, from which the committee makes the following deductions :

The number of male employees under the Sergeant-at-Arms, not including the Senate pages, is 107; of these, 9 are messengers nominated by



the committee which they serve, and appointed by the Sergeant-at-Arms. Of these, Mr. Bright has marked 17 persons, or a little less than 16 per cent. of his force, as having served in the Union Army, and 16 persons, or a little less than 15 per cent. as having served in the Confederate Army. He has also indicated, upon the roll furnished, those persons who were employed before he was elected Sergeant-at-Arms. From these marks it appears that 30 of the 107 persons who were reported as now employed were appointed by Mr. Bright's predecessor. Of these 30 persons retained, 8 are marked as Union soldiers or sailors. It follows, then, that of the 77 new appointments made by Mr. Bright, including the 9 made upon the suggestion of the committee, only 9, or less than 12 per cent. were appointed from that class which the statute says shall be preferred.

It appears also from the roll that of the 16 Confederate soldiers now employed only 2 were on the rolls when Mr. Bright took the office. In other words, 9 Union soldiers and 14 Confederates have been appointed.

The Capitol police force, which is appointed by a board consisting of the Sergeant-at-Arms of the Senate, the Sergeant-at-Arms of the House, and the Architect of the Capitol, as reported by the Captain, is as follows:

Number of officers and men, 33; in Union Army, 17, (of this number four were wounded); in Confederate Army, 4; not in either army, 12.

**The Departments average Forty per cent. of Union Soldiers—The Senate averages Fifteen Per Cent.**

The Committee concludes its report on this branch of the subject as follows:

It will be seen that the average per cent. of soldiers and sailors employed in the different executive departments (taking in the State Department the mean between 25 and 40) is 40 per cent., while the average in the Senate offices is 15 per cent. *While this condition of things exists the Senate does not occupy a favorable ground from which to lecture the other departments of the Government.*

**The House Clerk employs 47 per cent. of Union Soldiers—The Sergeant-at-Arms 71 per cent.—The Doorkeeper 53 per cent.**

Of the appointees under the House the committee says:

We have received from the Clerk of the House of Representatives a letter, from which the following facts are taken: There are 36 clerks and assistants employed in his office, of whom 17, or a little more than 47 per cent. served in the Union Army, and one in the Confederate Army.

We are also informed by a letter from the Sergeant-at-Arms of the House that of the 7 employees in his office, 5, or a little more than 71 per cent. served in the Union Army.

The Doorkeeper of the House informs us that of 90 employees on the permanent roll 47 served in the Union Army and 3 in the Confederate Army. He also adds that among the total number of employees given one is a page and one a woman. Deducting these from the total number of employees, we have over 53 per cent. of Union soldiers on his force. He also adds that among the pages there are 14 who are sons of Union soldiers.

It will be seen that of the total number of employees in the offices of the Clerk, Sergeant-at-Arms, and Doorkeeper of the House of Representatives, nearly 53 per cent. were Union soldiers.

### Recapitulation.

The per cent. of Union soldiers in the Departments and in the House of Representatives, as shown by the foregoing:

	<i>Per cent.</i>
Treasury Department.....	52
War Department.....	63
Interior Department.....	34
Post Office Department.....	36
Justice Department.....	25
Navy Department.....	34
State Department (mean).....	33
Office of Clerk of the House.....	47
Sergeant-at-Arms, House.....	71
Doorkeeper of House.....	53
Average.....	45

Per cent. of Union soldiers in the employment of the Senate:

	<i>Per cent.</i>
Secretary's Office.....	14
Sergeant-at-Arms' Office.....	16
Average.....	15

Per cent. of Confederate soldiers in the employment of the Senate:

	<i>Per cent.</i>
Secretary's Office.....	22
Sergeant-at-Arms' Office.....	15
Average.....	18½

Thus it will be seen that the average of Union soldiers employed in the departments and the House of Representatives (all Republican) is 45 per cent.; while in the Senate—the employees being under the control of the Democrats—there is the beggarly showing of 15 per cent. of Union soldiers, which is offset by 18 1-2 per cent. of Confederate soldiers. Is Senator Voorhees content?

## CHAPTER XI.

## Pensions and Bounties.

## PART I.

**Bill for Equalization of Bounties in 43d Congress only failed to become a law by being passed too late to receive President's signature—Representative Democrats in House Vote against it—Only one Democrat in Senate voted for it.**

The 43d Congress, (Republican) passed a bill for the equalization of bounties which failed to become a law, owing to the fact that it passed too late to receive the President's signature.

Such representative Democrats in the House as Clarkson N. Potter, Thomas Swan, Eppa Hunton, *et al.*, voted against it, and in the Senate only one Democrat voted for it.

**The Democrats in House of 44th Congress revive Republican measure for Equalization of Bounties—Rebel Brigadiers oppose its passage—A Trick of the Democracy to place Republicans in false Position—They failed—It would have again passed if it could have been reached in time by Senate.**

The 44th Congress (the House being Democratic) revived the measure passed in the 43d. The Democrats made a movement in its favor—not because they wished it to become a law—but because they knew that to equalize the bounties under it would cost at least \$100,000,000, and there being no money in the Treasury available for the purpose, the national debt would have to be increased that amount in order to meet it—a measure which they knew would meet with widespread denunciation. The Rebel Brigadiers, however, such as Blackburn, Buckner, Forney, Goode, Hooker, Hereford, Hunton, Mills, Reagan, Schleicher, Throckmorton, *et al.*, violently opposed it, while only two Republicans voted against it. It was originally a Republican measure and passed both Houses

when they were Republican, and would have passed again in 1876, if the Senate could have reached it in time, and there had been money in the Treasury to meet the expense without increasing the national debt.

**Republicans pass Additional Bounty Act of 1866, under which was paid \$71,154,529.81.**

In 1866 the Republicans passed what was known as the "additional county act," under which the soldiers have been paid \$71,154,529.81.

## PART II.

**Pensions—The Fundamental Pension Act of July 14, 1862, etc.**

**The many Acts passed by Republicans for the benefit of the Soldier—More than 1,500,000 Settlements made under them in Pension Office—More than \$404,000,000 paid to Pensioners, &c.—All evincing the substantial Gratitude of Republican Party to Union Soldiers.**

The fundamental law under which pensions are granted was passed by the Republicans July 14, 1862, when the majority of Democratic leaders were either in arms against the Government or plotting treason at the Capitol.

It bestowed with a lavish hand pensions upon all those who should become disabled, in whole or in part, in the service of their country, and to the dependent relatives of those who should die from causes originating in such service, including widows, children, mothers, and sisters.

It was the first comprehensive provision in that behalf, and laid the foundation for the generous allowances now made by law.

The acts of April 9, 1864, July 4, 1864, March 3, 1865, June 6, 1866, July 25, 1868, July 27, 1868, July 7, 1870, July 8, 1870, February 14, 1871, June 8, 1872, March 3, 1873, June 6, 1874, June 18, 1874 (2,) as will be observed, rapidly followed, under the Republican control of Congress.



They all liberalize the provisions of the fundamental law, either by enlarging the classes benefited, or by increasing the amounts payable to classes theretofore established.

Among other important provisions the following are most prominent:

I. The extension of the limitation within which claims should be filed—to commence the pension from the date of discharge in the case of a soldier, and from his death in the case of a widow or dependent relative.

The fundamental law made the limit one year. The act of June 6, 1866, extended it to three years, and the act of July 27, 1868, to five years, and under both these laws arrears of pensions were allowed and paid in thousands of cases.

II. The act of July 4, 1864, increased pensions for loss of both feet from \$8 to \$20 per month, and for loss of both hands or both eyes, from \$8 to \$25 per month. It also included non-enlisted men disabled while serving as pensionable, and granted the accrued pension due a pensioner to his relatives.

The act of March 3, 1865, increased pensions for loss of foot and hand from \$8 to \$20 per month. The act of June 6, 1866, increased invalid pensions as follows:

Loss of both hands or both feet to \$25 per month.

Loss of both feet or hand and foot to \$20 per month.

Loss of one hand or one foot, or equivalent disability, \$15 per month.

These provisions benefitted 19,000 pensioners.

That act also enlarged the provisions of the act of July 4, 1864, by giving to the relatives of a claimant alive (the soldier) would have received had he lived to complete his claim, and was the first provision of law granting pensions to dependent fathers and orphan brothers.

The act of July 25, 1866, granted increase to widow pensioners of \$2 a month for each child, by the soldier, under sixteen years of age, and if there was no widow, increased the pensions of minor children to an amount equal to that the widow would have received. Under this provision 18,000 pensions were at once increased, and a large number annually since.

The act of July 27, 1868, gave the \$2 per month increase for children of the soldier by a former wife, increased the pensions of those soldiers who, having only one eye, lost the same because of their service, from \$8 to \$25 per month, &c., &c.

The act of July 8, 1870, provided a new system—substantially that now in use—for paying pensions, making the pay-

ments quarterly instead of semi-annually, requiring all checks to be drawn to the order of the pensioner, and otherwise throwing around them safeguards to protect the pensioners from being defrauded by those they employed to collect their pension.

The act of February 14, 1871, was the first provision granting pensions for service in the war of 1812.

The act of June 8, 1872, entitled all who had received \$15, \$18, and \$24, for specific disabilities, to \$20, \$25, and \$31.25 respectively.

The act of March 3, 1873, brought into harmonious relation the laws previously passed relating to pensions, and largely increased those for certain disabilities, &c., to wit: for loss of leg above the knee, under certain conditions, from \$18 to \$25.

For disabilities not permanent if granted, during their continuance, a like pension as if permanent, the latter only having been provided for under previous laws. It also increased the pensions for disabilities entitling to more than \$8 and less than \$18 per month, to a rate intermediate to those grades, viz: \$12, \$14, \$16, &c.

The act of June 18, 1874, increased the rates of those pensioners entitled to \$31.25 per month, and whose disabilities were permanent, to \$50 per month. Another act of the same date increased from \$18 to \$24 per month the pensions of all who had lost an arm above the elbow or a leg above the knee.

Under these various provisions of law, and the few minor provisions of law enacted since the Democrats have obtained control of the House of Representatives, exclusive of the Arrears Acts of January and March, 1879, more than 1,500,000 settlements have been made in the Pension Office, and more than the sum of \$404,000,000 has been paid thereon.

It will be observed that under Republican auspices the classes of pensioners were made to embrace all now provided for by law, and the rates of pensions were liberalized to a scale largely in excess of that ever before adopted by any government, and they were made to conform to the degrees of disability actually existing, viewed in relation to the incapacity of the pensioner for earning a livelihood, and the classes benefited by increased rates are numbered by tens of thousands; while under Democratic control the provisions of law enacted benefited but a few, and their pensions had already been increased to the higher grades.

Such, in brief, is the Republican record of justice and of gratitude to the soldier.

## PART III.

**Arrears of Pensions a Republican Measure.**

**The Arrears of Pensions Act—That Great Measure of Justice to the Union Soldier A Republican Measure—The Rice Bill—Its Fraud—Attempts to Secure Arrears for Rebel Mexican War Pensioners—The Cummings-Haskell Bill Granting Arrears of Pensions to Union Soldiers substituted for it and Passed—Yeas and Nays upon its Passage, &c.**

On February 13, 1878, A. V. Rice, the Democratic chairman of the House Committee on Pensions, reported a bill granting arrears of pensions: "*also to authorize the Secretary of the Interior to restore to the roll the names of invalid pensioners stricken therefrom on account of disloyalty,*" &c.; this latter provision being the sop thrown to the rebel brigadiers to secure their support of or acquiescence in the measure. This bill was made a special order for February 27, 1878, but Mr. Rice failing to secure its consideration on that day, Mr. Cummings, a Republican member from Kansas, on April 2, 1878, introduced the bill (H. R. No. 4234) which was subsequently passed. It was referred to the Committee on Pensions, from which it was not reported back; and on June 19, 1878, Mr. Haskell, a Republican member from Kansas, moved a suspension of the rules, in order that the Committee on Pensions may be discharged from the further consideration of bill H. R. No. 4234, and that it be passed with an amendment. Thereupon the following colloquy ensued:

MR. BANNING. I understand that this is the bill reported by the Committee on Pensions and recommended by them.

MR. RIDDLE. No, sir; it is not the bill.

THE SPEAKER *pro tempore*. Debate is not in order.

MR. BANNING. I ask for the reading of that section which was not contained in the bill reported from the Committee on Invalid Pensions.

MR. RICE, of Ohio. This bill was not reported from the committee at all.

MR. EDEN. That is in the nature of the debate, and is not in order on a motion to suspend the rules.

MR. CUMMINGS. I call for the yeas and nays upon the motion to suspend the rules. \* \* I withdraw the demand for the yeas and nays for the present.

The question was put on the motion to suspend the rules—ayes 90, noes 20; no quorum voting.

MR. HASKELL. I call for tellers.

MR. BROWNE. I call for yeas and nays.

MR. WHITE. Cannot we understand whether this is the bill that was reported from the Committee on Invalid Pensions or not?

MR. RICE, of Ohio. I will state that it is not the bill. I have been trying to get the bill, reported unanimously from the committee, acted upon, *but have failed to do so*.

MR. COCKER. I demand the yeas and nays.

Ordered, and the bill was passed.

The bill, the passage of which was secured under Mr. Haskell's motion, granted arrears to the date of discharge or death of the soldier without restriction or limitation, and gave to the pensioners, as estimated by the Commissioner of Pensions, the sum of \$34,000,000 in claims settled before the date of the act, while the bill, which Mr. Rice had reported to the House four months before, and which he had "been trying to get acted upon," *but had "failed to do so,"* was a qualified bill in the following respects:

In the first place, it was limited by its fourth section to the pensioners on the roll. A pensioner having deceased, his widow or child, or other relatives, could not get a dollar under its provisions; a widow having remarried, or a minor child having become sixteen years of age could not get a dollar.

Secondly, it divided the pensioners on the roll into three classes, and bestowed arrears upon them unequally. To only widows, minors, mothers, fathers, brothers, and sisters, receiving pensions, did it give the benefit which they derive from the present law. To the soldiers themselves it was not so liberal. Those disabled by wounds and injuries were to be paid from date of discharge, provided they filed their original claims within five years; "otherwise the pension shall commence from the time of the development of the disability resulting from such wounds or injuries," &c.

To those soldiers who are pensioned for the effect of diseases—the sick, the bed-ridden—who, while equally incapacitated with the wounded, are, as a class, the greatest sufferers, their pensions were to be made to commence, not from the date of the discharge, but "from the date of the application." In other words, they were to get no arrears except for the period between the filing of their claims in the Pension Office and the date of their allowance—an average time of about three years.

Compare the Rice bill, which was not passed, with the Cummings-Haskell bill, which *was* passed, in the amount of money it bestowed and the numbers benefited. According to the estimate of the Commissioner of Pensions the Rice bill granted arrears as follows:

To the widows, minors, mothers, &c.....	5 645	\$4,841,152.00
To wounded and injured soldiers.....	16,659	10,313,586.90
To the deceased soldiers....	3,034	606,800.00
Total.....	25,338	15,761,538.90

The Cummings-Haskell bill granted arrears on claims allowed before January 1, 1879:

To widows, minors, mothers, &c.....	9,049	\$3,753,066.80
To the soldiers.....	36,106	25,114,434.40
Total .....	45,15	335,872,502.20



A difference in favor of the soldiers in the Cummings-Haskell bill over the Rice bill of 16,413 soldiers and \$14,194,047.50, and of 3,404 widows, dependent parents, and orphans, and \$3,916,914.80. Moreover, as the title above quoted shows, the seventh section of the Rice bill proposed the repeal of section 4716 of the Revised Statutes, which provides that no "*money on account of pension shall be paid to any person or to the widow, children, or heirs of any deceased person, who, in any manner, voluntarily engaged in or aided or abetted the late rebellion against the authority of the United States,*" and to pay all invalid pensioners, mostly of former wars, and who in many instances had served in the rebel army, and in consequence had been stricken from the rolls for disloyalty, arrears of pensions back to December 25, 1858—in nearly every instance for a longer period than the same bill granted to deceased loyal soldiers of the war of the rebellion. While the amount estimated to be payable under the Cummings-Haskell bill, as above stated, was upwards of \$33,000,000, it was modified by the act of March 3, 1879, which reduced the estimate of the Pension Office to \$25,000,000, and \$24,728,155 have actually been paid thereunder.

Indeed Rice's bill was simply a cover under which dropped disloyal pensioners might be restored to the rolls and collect their arrears. It was justly defeated. But the Cummings-Haskell bill, a Republican measure which actually passed, and for which this Democratic party, with characteristic assurance, claims all the credit for the Democracy, embraces only the loyal soldier.

The Democratic fraud in claiming any credit for the passage of this bill (H. R. 4234) is readily exposed by an analysis of the votes by which it was passed. In the House the vote was—

Republican ayes.....	116
Republican nays.....	00
	— 116
Democratic ayes.....	48
Democratic nays.....	61
	— 109

Showing a Republican majority of 7 over the combined vote of the Democrats. Of the 48 Democratic ayes 44 were from the North—only 4 were from the South. In the Senate the vote was—

Republican ayes.....	26
Republican nays.....	00
	— 26
Democratic ayes.....	18
Democratic nays.....	4
	— 22

A Republican majority of 4 over the combined vote of the Democrats. Not a single Republican vote was cast against it, but the Arrears Act, that great measure of justice to the loyal soldier, is in

every sense purely a Republican measure. It was introduced into the House by a Republican, (Mr. Cummings,) was supported in debate by the Republicans, and finally passed in both Houses in spite of the opposition of the Southern Democracy by Republican votes. In the House the 61 Democratic votes against it were, with three exceptions, all from the South, to wit:

NAYS.—Messrs. Acklen, Aiken, H. P. Bell, Blackburn, Blount, Boone, Bright, Cabell, J. W. Caldwell, W. P. Caldwell, Candler, Carlisle, J. B. Clarke, Cook, Cravens, Crittenden, Davidson, J. J. Davis, Dibrell, Durham, Eekhoff, Elam, J. H. Ellis, Evins, Fenton, Forney, Garth, Gause, Gibson, Giddings, Goode, H. E. Harris, J. T. Harris, Herbert, G. W. Hewitt, Hooker, House, Hunton, J. G. Jones, Knott, Ligon, Mayham, McKenzie, Mills, Muldrow, Phelps, Fridmore, Reagan, Riddle, Robins, Scales, Schletcher, O. R. Singleton, W. E. Smith, Steele, Throckmorton, Vance, Whithorne, J. Williams, A. S. Willis, and Yates—61.

## PART IV.

### The Democratic Record— So Called.

#### A Beggarly Account of Small Donations —Impudent Claims set up to Republican Measures.

The acts upon which the Democracy base their claim to the title of the "soldiers' friend" are the following:

On May 24, 1878, the House passed a bill to increase the pensions of pensioned soldiers and sailors, who had lost either both hands or both feet, or the sight of both eyes, in the service of the country. It provided that the pensions of such soldiers and sailors should be increased to \$72 per month.

This bill which became an act June 17, 1878, and its supplement of March 3, 1873, affected only those who were previously entitled to \$50 per month under the act of June 18, 1874, and probably embraced less than 200 pensioners.

Another bill passed on May 24, 1873, increased the pensions of all soldiers who had suffered amputation of their leg at the hip joint to \$37.50 per month.

This bill which became an act March 3, 1879, increased less than 20 pensions, and they were before in receipt of \$24 per month.

On May 23, 1878, Mr. Riddle, of Tennessee, reported a bill which amended the pension act of 1874 so as to extend its provisions to all persons who had lost an arm below the elbow, or so near the elbow, or a leg below the knee, or so near the knee as to destroy the use of the elbow or the knee-joint, and rated such persons in the second class and to receive a pension of \$24 per month.

This bill, if it had become a law, would have affected but a few, probably not more than one hundred. Those who lost the arm *above* the elbow or the leg *above* the knee were already entitled to \$24 per month, and the law was intended to benefit only those who had suffered amputation just at the elbow or knee, or so near as to destroy its use. As a matter of fact it was not rejected by the Senate, but was referred to its Committee on Pensions, which failed to report it to the Senate.

The only provision which passed the House under Democratic control, except the Arrears Act, that would have affected any very large number of soldiers, was the bill to increase the pensions of those who had lost one limb. The increase proposed was twelve dollars per month, and it would have benefited about 4,000 pensioners.

The only additional Democratic measure was that of February 28, 1877, "to allow a pension of \$36 a month to soldiers who have lost both an arm and a leg." This benefited a number not exceeding two hundred pensioners.

**Democrats Re-enact an Existing Pension Law Passed by the Republicans—Beltzhoover and Ryon, Democratic Members of House, Explain to their Constituents that Rebel Brigadiers are against Pensioning Union Soldiers.**

Another measure for which the Democracy claim credit was a bill reported in June, 1876, to regulate the issue of artificial limbs.

The first section provided that every person who in the line of his duty in the military or naval service of the United States shall have lost a limb, or sustained bodily injuries, depriving him of the use of any of his limbs, shall receive once every five years an artificial limb or appliance, under such regulations as the surgeon-general of the army may prescribe; and the period of five years shall be held to commence with the filing of the application after the 17th day of January, in the year 1870.

Now, the facts are that the practice of granting artificial limbs to soldiers and sailors who lost their natural limbs in the service has existed since the passage of the act of July 16, 1862; and on July 28, 1866, Congress passed an act "to authorize the Secretary of War to furnish transportation to discharged soldiers to whom artificial limbs are furnished by the Government."

On July 27, 1868, an act was passed placing officers upon the same footing with privates as to artificial limbs. On July 17, 1870, another act was passed authorizing the War Department to furnish a new limb or apparatus to all those previously supplied, and at the expira-

tion of every five years thereafter another. Or if the soldier so elected he could receive money commutation therefor of from fifty to seventy-five dollars; and the act of June 30, 1870, extended the provision to all classes, including transportation. Under these laws advantageous arrangements were made with manufacturers through whom limbs were procured at rates largely reduced from market prices.

It will be observed that the act of August 15, 1876, was simply a re-enactment, with slight and unimportant changes, of previous enactments.

The hostility, the implacable enmity of the Democracy to the Union soldier is not open to doubt. Nor can their assurance or their impudent claims alter the fact. It is even demonstrated by the highest of Democratic testimony. Hon. F. E. Beltzhoover, the Democratic member of the House from the nineteenth district of Pennsylvania, in a letter to a constituent dated April 23, 1880, declines to introduce a pension bill, because "*with the present Democratic House pension bills do not have much favor, \* \* \* and the rebel general who is at the head of the Pension Committee in the Senate is still more averse to allowing any such bills to pass.*" Hon. J. W. Ryon, another Democratic member from Pennsylvania, bears like testimony. He declares, in a letter (dated September, 1880), to a constituent, that "*the present House is averse to allowing claims for services rendered in support of the United States during the late war.*"

## PART V.

### The Clerical Force in the Pension Office.

The number of pension claims of all classes on the files of the Pension Office which had not received favorable action at the close of the fiscal years of 1880, 1881, and 1882 were 346,323, 350,337, and 360,231, respectively.

The number of clerks employed in the Pension Office in 1881 was 454, and 572 in 1882. The appropriation for these two years having been made by the Forty-sixth Congress, (Democratic.)

It will be observed that the number of claims on file continued to increase rather than diminish, as the number of new cases coming in exceeded those which could be settled.

With the force employed in the Pension office it usually required from two and one-half years to three years to reach a case in its order of filing before the first step was taken for its consideration, and then, owing to the many thousands on file, it would be from one



to three years before final action would be had upon it.

To remedy this the last Congress, (Republican,) on the 5th day of August, 1882, passed an act providing for 1,559 clerks in the Pension Office, so that the work of settling the claims for pensions might be expedited.

With the slight increase of force for the year 1882 the allowance of original pension claims was about 20 per cent. greater than the average per year since 1861.

The total number of cases of all classes

disposed of during the past year was 59,190.

Besides the large increased facilities referred to for reaching an early settlement of cases, the act of August 5, 1882, provided the means for the Commissioner of Pensions to detail special examiners in the field, so that in the procurement of testimony very many cases will be susceptible of allowance which otherwise would be denied, owing to the inability of the claimants to obtain information of the whereabouts of witnesses.

## CHAPTER XII.

### The Tariff.

#### PART I.

**“Encouragement and protection” to American industry the “True American System”—Its Advocates Illustrious Statesmen of Practical Genius—Washington, Franklin, Hamilton, Calhoun, Clay, Andrew Jackson, Madison, Jno. Q. Adams, Webster, Garfield, Lincoln, and Grant.**

George Washington in his first message to Congress declared that:

The safety and interest of the people require that they should promote such manufactures as tend to render them independent of others for essential, particularly for military, supplies.

The preamble of the Second act of the First Congress, read:

Whereas it is necessary for the support of the government, for the discharge of the debt of the United States, and the *encouragement and protection of manufacturers*, that duties be levied on goods, wares, and merchandise imported.

In his second message to Congress, George Washington said:

Congress has repeatedly, and not without success, directed their attention to the encouragement of manufactures. The object is of too much consequence not to insure a continuance of their efforts in every way which shall appear eligible.

Benjamin Franklin, in 1771, said:

It seems the interest of all our farmers and owners of land to encourage our young manufactures in preference to foreign ones imported among us from distant countries.

Alexander Hamilton, in 1790, in his celebrated Report on Manufactures, urged:

Not only the wealth but the independence and security of a country appear to be materially connected with the prosperity of manufactures. Every nation, with a view to these great objects, ought to endeavor to possess within itself all the essentials of national supply. These comprise the means of subsistence, habitation, clothing, and defense. The possession of these is necessary to the perfection of the body-politic, to the safety as well as the welfare of society. The want of either is the want of an important organ of political life and motion; and in the various crises which await a State it must severely feel the effects of any such deficiency. The extreme embarrassments of the United States during the late [Revolutionary] war, from an incapacity of supplying themselves, are still matters of keen recollection. A future war might be expected again to exemplify the mischiefs and dangers of a situation to which that incapacity is still in too great a degree applicable, unless changed by timely and vigorous exertion. To effect this change as fast as shall be prudent merits all the attention and all the zeal of our public councils. It is the next great work to be accomplished.

Jno. C. Calhoun, in 1816, urged:

It [the encouragement of manufactures] produced a system strictly American, as much so as agriculture, in which it had the decided advantage of commerce and navigation. The country will from this derive much advantage. Again, it is calculated to bind together more closely our widespread republic. It will greatly increase our mutual dependence and intercourse, and will as a necessary consequence excite an increased attention to internal improvements—a subject every way so intimately connected with the ultimate attainment of national strength and the perfection of our political institutions. He regarded the fact that it would make the parts adhere more closely; that it would form a new and most powerful cement, far outweighing any political objections that might be urged against the system. In his opinion the liberty and the union of the country were inseparably united; that as the destruction of the latter would most certainly involve the former, so its maintenance will with equal certainty preserve it.

Henry Clay, in 1824, in the course of one of his great speeches, said:

It is most desirable that there should be both a home and a foreign market. But with respect to

their relative superiority I cannot entertain a doubt. The home market is first in order and paramount in importance. \* \* \* But this home market, desirable as it is, can only be created and cherished by the protection of our own legislation against the inevitable prostration of our industry, which must ensue from the action of foreign policy and legislation. \* \* \* If I am asked why unprotected industry should not succeed in a struggle with protected industry, I answer: The fact has ever been so, and that is sufficient; I reply, the uniform experience evinces that it cannot succeed in such a struggle, and that is sufficient. If we speculate on the causes of this universal truth, we may differ about them. Still the indisputable fact remains. \* \* \* The cause is the cause of the country, and it must and will prevail. It is founded on the interests and affections of the people. It is as native as the granite deeply embosomed in our mountains.

General Andrew Jackson, in 1824, wrote:

It is time that we should become a little more Americanized, and, instead of feeding the paupers and laborers of England, feed our own.

James Madison, in 1828, said:

A further evidence in support of the constitutional power to protect and foster manufactures by regulations of trade—an evidence that ought in itself to settle the question—is the uniform and practical sanction given in that power, for nearly forty years, with a concurrence or acquiescence of every State government throughout the same period, and, it may be added, through all the vicissitudes of party which marked that period.

Mr. Jno. Q. Adams, in 1832, in a report from the Committee on Manufactures, said:

And thus the very first act of the organized Congress united with the law of self-preservation, by the support of the government just instituted, the two objects combined in the first grant of power to Congress; the payment of the public debts and the provision for the common defense by the protection of manufactures. The next act was precisely of the same character—an act of protection to manufactures still more than of taxation for revenue.

Daniel Webster, in 1833, said:

The protection of American labor against the injurious competition of foreign labor, so far, at least, as respects general handicraft productions, is known historically to have been one end designed to be obtained by establishing the Constitution; and this object, and the constitutional power to accomplish it, ought never to be surrendered or compromised in any degree.

Abraham Lincoln, in 1832, said:

I am favor of the internal improvement system and a high protective tariff.

General Garfield, in House of Representatives, June, 1878, declared:

So important, in my view, is the ability of the Nation to manufacture all those articles necessary to arm, equip, and clothe our people that if it could not be secured in any other way I would vote to pay money out of the Federal Treasury to maintain government iron and steel, woolen and cotton mills, at whatever cost. Were we to neglect these great interests and depend upon other nations in what a condition of helplessness would we find ourselves when we should be again involved in war with the very nations on whom we were depending to furnish us these supplies? The system adopted by our fathers is wiser, for it so encourages the great National industries as to

make it possible at all times for our people to equip themselves for war, and at the same time increase their intelligence and skill, so as to make them better fitted for all the duties of citizenship, both in war and in peace. We provide for the common defense by a system which promotes the general welfare.

President Grant, in three compact sentences, in defining the wants of the country, said:

A duty upon those articles which we could dispense with, known as luxuries, and those of which we use more than we produce.

All duty removed from tea, coffee, and other articles of universal use not produced by ourselves.

Encouragement to home products, employment to labor at living wages, and development of home resources.

## PART II.

### Protection to American Industry the Cause Underlying the Struggle in 1776 for American Independence.

**Resistance of our Colonial Fathers to Tyranny of British Trader—Colonial Manufactures declared a Nuisance by Act of Parliament—The Colonists revolt and achieve their Independence.**

The primary and principal causes underlying the American Revolution of 1776 sprung from the conflict between our colonial ancestors, in support of native industry, and the British Trader, backed by all the authority and power of the Crown and Parliament, in his efforts to destroy all manufacturing industry in the colonies, and make the colonists dependent upon England for their supplies. Colonial manufactures, by act of Parliament, were even declared a nuisance. Our fathers revolted. They conquered their independence, and in 1783 entered the community of nations as a sovereign power.

## PART III.

### Protection under the Confederation.

**The failure of Government of Confederation to Encourage and Protect Manufactures the cause of its Abolition.**

The Confederation failed in all the essential particulars of government. It utterly failed to secure to the "infant industries" of America, to the domestic manufactures of the new States, that encouragement and protection to secure



which, in their recent unequal conflict with the formidable power of Britain, they had staked their "lives and fortunes and sacred honor." Hence it was soon pronounced an injurious abortion, and the people resolved to abolish it—to create and substitute for it a new and more vigorous government, with ample powers to secure those objects and to execute all its delegated trusts.

## PART IV.

### Protection under the Government of the Constitution.

#### Our Workingmen Advocated and Celebrated the Adoption of the Constitution.

Thus, in 1789, the government of the old Confederation was supplanted by our present National Government through the adoption of our National Constitution. The union or organization of the States as one nation, under a government with ample powers to protect them in their industrial pursuits, had no more earnest, no more enthusiastic or active supporters, than the mechanics and laboring men. They celebrated its adoption amid the heartiest rejoicing.

#### The second act of our 1st Congress under the Constitution an Act for "the Encouragement and Protection of Manufactures."

The First Congress under our National Constitution organized April 6, 1789. On April 8, within seventy hours after its organization, James Madison, in the House, introduced a resolution declaring that "duties ought to be levied on goods, wares, and merchandise imported into the United States." The Congress agreed with Mr. Madison. This First Congress, in both Houses of which were many who had been members of the convention that framed the Constitution, adopted "An act laying a duty on goods, wares, and merchandise imported into the United States." It was our first tariff act. It was the first measure of our National Government, the second law enacted by Congress under our present Constitution, and was approved by George Washington as President on July 4, 1789. The imposts which it levied were both specific and *ad valorem*, and its preamble distinctly declared that those imposts were "necessary" among other things "for the encouragement and protection of manufactures."

Domestic enterprises, native interests, exercised all the solicitude and care of

this Congress. At its second session it enacted the tariff of August 10, 1790, by which the duties of the previous act were on an average increased  $2\frac{1}{2}$  per cent., and at both sessions, following the example of England and other powers, established a system of navigation laws, through which heavy discriminating tonnage duties were exacted for the encouragement and protection of our native shipping and trade.

#### Protective Tariffs of 1789 and 1790 Passed by Southern Votes.

The following in an analysis of the vote in the House upon the tariff of 1790, which confirmed, and under the recommendations of Alexander Hamilton, as Secretary of the Treasury, increased some of the rates of the act of 1789:

**AYES**—Messrs. Ashe, Baldwin, Bloodworth, Brown, Burke, Cadwalader, Carroll, Clymer, Coles, Conter, Fitzsimmons, Floyd, Gilmer, Hartley, Heister, Huntington, Jackson, Livermore, Lawrence, Madison, Matthews, Moore, Muhlenberg, Page, Parker, Rensselaer, Scott, Seney, Sevier, Sherman, Sylvester, Sinnickson, Steele, Sturgis, Sumter, Vining, White, Williamson, and Wynkoop—39.

**NAYS**—Messrs. Ames, Benson, Foster, Gale, Gerry, Goodhue, Grout, Sedgwick, Smith of Maryland, Smith of South Carolina, Thatcher, Trumbull, and Wadsworth—13.

In all 52 votes, 21 of which voting "aye" were from Southern or slave-holding States. The following is an analysis by States:

New England States: For—New Hampshire, 2; Massachusetts, 0; Connecticut, 2; total, 5. Against—New Hampshire, 1; Massachusetts, 6; Connecticut, 2; total, 9.

Middle States: For—New York, 4; New Jersey, 2; Pennsylvania, 7; total, 13. Against—New York, 1; New Jersey, 0; Pennsylvania, 0; total, 1.

Slave States: For—Delaware, 1; Maryland, 3; Virginia, 7; North Carolina, 5; South Carolina, 2; Georgia, 3; total, 21. Against—Delaware, 0; Maryland, 2; Virginia, 0; North Carolina, 0; South Carolina, 1; Georgia, 0; total, 3.

Recapitulation: For—New England States, 5; Middle States, 13; Southern States, 21; total, 39. Against—New England States, 9; Middle States, 1; Southern States, 3; total, 13.

## PART V.

### American Manufactures from 1795 to Peace of 1815.

**Revival of our Industries from the Disastrous Results of our Commercial Craze from 1793 to 1807—House in 1809 orders the Reprinting of Hamilton's Report on Manufactures—Instructions of Congress to Marshals of Census of 1810 respecting Manufacturing Statistics—Tench Coxe's Estimate of value of Manufactures in 1810—Country flooded in 1815 with foreign**

**goods—Object of British Trader in getting our markets was to destroy American Industry—Our people petitioned Congress for Protection against the Ruin thus Menaced.**

From 1793 to 1807, the memorable period of our commercial craze, very little attention was bestowed by our people upon manufactures. But, with the disastrous collapse of our commercial ventures, manufacturing enterprises again occupied our capitalists. In 1809 the House ordered the reprinting of Hamilton's celebrated report on manufactures. It also directed Mr. Gallatin, the Secretary of the Treasury, to collect information respecting the various manufactures of the United States, and report the same, "together with a plan best calculated to protect and promote them." The marshals and their assistants in taking the census of 1810 were also instructed to obtain full and reliable information respecting our manufacturing establishments and manufactures. The information or data thus obtained was meager and defective. An analysis or digest of the manufacturing returns and an estimate of the value of manufactures were made under the direction of the Treasury by Mr. Tench Coxe, a distinguished statistician of Philadelphia. It was ascertained that few woolen manufactures existed in the United States, but that the woolen and cotton manufactures consumed in the country were principally the products of looms in families, and their estimated value was about \$40,000,000. The value of the manufactures of iron was reported at \$14,364,526; of the products of the tannery at \$17,935,477; of those from grain at \$16,528,207; of those of wood at \$5,554,708; of the manufacture of refined sugar at \$1,415,724; of paper, etc., at \$1,939,285; of glass at \$1,047,004; of tobacco at \$1,260,378; of cables and cordage at \$4,242,168, &c. The aggregate value of manufactures of all kinds was returned at \$127,694,602. By a previous estimate of Mr. Gallatin the value was fixed at \$120,000,000.

That was not a very flattering exhibit. But the embargo and non-intercourse acts, the retaliatory measures adopted by our Government in 1807 and 1808 against the tyrannical restrictive decrees of England and France, followed as they were by our war of 1812-15 with Britain, practically excluded from the country all foreign imports, and by throwing our people upon their own resources to supply the domestic demand, particularly for manufactures of wool, cotton and hemp, greatly increased and encouraged the home manufacture of those materials. Nevertheless, the close of the war in 1815 found them in swaddling-clothes. The high price of labor in the United States, and the long experi-

ence and superior skill of the British establishments, rendered it impracticable for the domestic manufactures to sustain themselves without protection against the foreign article. That the British trader well knew. He accordingly determined to crush out the manufactures of the United States in their infant state, even at a heavy sacrifice to himself in profit. Our markets, therefore, were soon glutted with foreign products of all kinds. Thus the value of our imports, which from January 1 to September 30, 1815, was only \$83,080,073, suddenly increased during the following year, from October, 1815, to October, 1816, to the vast sum of \$155,302,700. In the House of Commons, Mr. Brougham, with manifest satisfaction and in plain language, announced the policy and the purposes of the British trader. He urged:

It is well worth while to incur a loss upon the first importation, in order by the glut to stifle in the cradle those rising manufactures in the United States which the war had forced into existence contrary to the natural course of things.

Our citizens throughout the country engaged in manufactures, including the sugar-planters of Louisiana, prayed Congress for protection against the ruin thus menaced, and for encouragement and support to the "growing manufactures" of the nation. Congress responded by promptly affording the protection prayed for.

## PART VI.

### Tariff of 1816.

**Mr. Lowndes, of S. C., reports Tariff of 1816 from the Committee of Ways and Means—Debate on Bill—Clay and Calhoun and Lowndes, and others support the Bill—a Tariff for Protection.**

On March 12, 1816, Hon. William Lowndes, a member of the House from South Carolina, distinguished alike for ability and patriotism, reported from the Committee on Ways and Means the tariff act of 1816—a bill "to regulate the duties on imports and tonnage." Hon. Thomas Newton, of Virginia, on February 13 and March 6, from the Committee on Manufactures, had reported in favor of encouraging and protecting the manufactures of wool and cotton, and in the debate upon Mr. Lowndes's bill, Henry Clay, of Kentucky, John C. Calhoun, and Lowndes, of South Carolina, Ingham, of Pennsylvania, and others, ably contended for a "decided protection to home manufactures by ample duties." The celebrated John Randolph, of Roanoke, opposed the bill. Mr. Randolph



was a strict constructionist. He believed and urged that a "tariff for protection," the levying of imposts for the encouragement and support of manufactures, was as unconstitutional as it was unjust—a "levying of taxes on one portion of the community to put money into the pockets of another."

In that, Mr. Randolph was antagonized among others by Mr. Calhoun in an argument in which he in substance reiterates and supports the views of Alexander Hamilton's report of 1791 on Manufactures.

**John C. Calhoun favors the Encouragement and Protection of Manufactures—He was not personally interested in manufactures—He was from South Carolina—He regarded Protection as of Vital Importance to the Prosperity of the Nation, and its Safety in War—All Nations should be Independent for its Supplies—Protection produced a System strictly American—Its Advantages over Commerce—It caused increased attention to Internal Improvements—It binds together the Sections—Liberty and the Union inseparably United—Warns the House and Country of "a new and terrible Danger"—Disunion.**

Mr. Calhoun favors the encouragement and protection of our home industries. He regards the subject as one of "vital importance," "touching as it does the security and permanent prosperity of our country." He was no manufacturer. He was not from that portion of our country supposed to be peculiarly interested. He "was from the South"—from South Carolina. "Consequently no motives could be attributed to him but such as were disinterested."

"The security of a country mainly depends on its spirit and means." Hence "as every people are subject to the vicissitudes of peace and war, it must ever be considered as the plain dictate of wisdom in peace to prepare for war." He then reviews the resources of the country, discusses the relative importance of agriculture, commerce, and manufactures as a source of national wealth and power, demonstrates the superiority of manufactures, because agriculture and commerce, being dependent on foreign markets, only flourish in times of peace, but manufactures, relying on our home market, is unaffected by war and is always a source of wealth and power. He urges—

What, then, are the effects of a war with a maritime power—with England? Our commerce annihilated, spreading individual misery and producing national poverty; our agriculture cut off from its accustomed markets, the surplus product of the farmer perishes upon his hands, and he ceases to produce because he cannot sell. His resources are

dried up, while his expenses are greatly increased, as all manufactured articles, the necessities as well as the conveniences of life, rise to an extravagant price. \* \* \* The failure of the wealth and resources of the nation necessarily involves the ruin of its finances and its currency. It is admitted by the most strenuous advocates on the other side that no country ought to be dependent on another for its means of defense; that at least our musket and bayonet, our cannon and ball, ought to be of domestic manufacture. But what was more necessary to the defense of a country than its currency and finance? Circumstanced as our country is, can these stand the shock of war? Behold the effect of the late war upon them! When our manufactures are grown to a certain perfection, as they soon will under the fostering care of government, we will no longer experience these evils. The farmer will find a ready market for his surplus produce, and, what is almost of equal consequence, a certain and cheap supply of all his wants. His prosperity will diffuse itself to every class in the community; and instead of that languor of industry and individual distress now incident to a state of war and suspended commerce, the wealth and vigor of the community will not be materially impaired. The arm of government will be nerved, and taxes in the hour of danger, when essential to the independence of the nation, may be greatly increased; loans, so uncertain and hazardous, may be less relied on. Thus situated, the storm may beat without, but within all will be quiet and safe. To give perfection to this state of things it will be necessary to add, as soon as possible, a system of internal improvements, and at least such an extension of our Navy as will prevent the cutting off of our coasting trade.

Mr. Calhoun next reviews at some length, and rebuts, one by one, the arguments urged against manufactures as a system; maintains with great force the policy of finding profitable investment of our capital and remunerative employment for our mechanics by multiplying and protecting manufactures as permanent establishments; and with some indignation refutes and repels the charges which, even in that day, were stale and flat, that manufacturing establishments "destroy the moral and physical power of the people;" that they were "the fruitful cause of pauperism," and produced a slavish dependence of the operative upon the manufacturer. He exclaimed:

It [the encouragement of manufactures] produced a system strictly American, as much so as agriculture, in which it had the decided advantage of commerce and navigation. The country will from this derive much advantage. Again, it is calculated to bind together more closely our widespread republic. It will greatly increase our mutual dependence and intercourse, and will as a necessary consequence excite an increased attention to internal improvements—a subject every way so intimately connected with the ultimate attainment of national strength and the perfection of our political institutions. He regarded the fact that it would make the parts adhere more closely; that it would form a new and most powerful cement far outweighing any political objections that might be urged against the system. In his opinion the liberty and the union of the country were inseparably united; that, as the destruction of the latter would most certainly involve the former, so its maintenance will with equal certainty preserve it.

Nor did he "speak lightly." Mr. Calhoun assures the House that "he had often and long revolved it in his mind;" that he "had critically examined into

the causes that destroyed the liberties of other countries," and closes with a solemn warning to the nation of a "new and terrible danger" which threatened it—"disunion."

**Tariff Act of April 27, 1816, passed by Southern Votes.**

This powerful and patriotic argument was delivered in the House on April 4, 1816. It had a commanding effect. A few days later, on the 8th, the tariff act of April, 1816, largely extending and increasing the specific duties on foreign goods and adopting the minimum principle of valuation in estimating imposts, for the encouragement and protection of manufactures, passed the House by a vote of yeas 88, nays 54. It was passed by Southern votes. Among those voting in the affirmative are such distinguished Southern names as Cuthbert and Lumpkins of Georgia, Desha and Richard M. Johnson of Kentucky, Philip P. Barbour, Thomas Newton, and Henry St. George Tucker of Virginia, Mayrant, Woodward, Lowndes, and Calhoun of South Carolina.

**Vote on its Passage.**

YEAS—Messrs. Adgate, Alexander, *Archer*, Ather-ton, Baker, *Barbour*, *Bassett*, Bateman, Baylies, Bennett, Betts, Birdsell, Boss, Brooks, Brown, Cady, Caldwell, *Calhoun*, Cannon, Chipman, Clendennin, Comstock, Crawford, Creighton, Crocherson, *Cuthbert*, Darlington, Davenport, *Desha*, Glasgow, Gold, Grosvenor, Hahn, *Hall*, Hammond, *Hawes*, *Henderson*, Hopkinson, Ingham, Irvin, of Pennsylvania, Jewett, *Johnson* of Kentucky, Kent, Langdon, *Lowndes*, *Lumpkin*, Lyle, Maclay, Marsh, Mason, *Mayrant*, *McCoin*, *McLean* of Kentucky, Milnor, *Newton*, Noyes, *Ormsby*, Parris, Piper, Pitkin, *Pleasants*, *Powell*, *Rugles*, Sergeant, Savage, Schenck, *Sharpe*, Smith of Pennsylvania, *Smith* of Maryland, Southard, Strong, Taggart, *Taul*, Throop, Townsend, *Tucker*, Wallace, Ward of New York, Ward of New Jersey, Wendover, Wheaton, Whiteside, Wilkin, Willoughby, Thomas Wilson, William Wilson, *Woodward*, and Yates—88.

Nays, 54—total, 142.

Of the 88 yeas, 25 in italics are of men from the South. If those twenty-five had voted nay, the result would have been—yeas 63, nays 79—thus defeating protection. As it was, these Southern votes decided the House in favor of protection to manufactures.

**Our Protective System Practically Established by the Act of 1816.**

Here in the principles and provisions of this act of April, 1816, we have the practical foundation of the American policy of encouragement of home manufactures, the practical establishment of the great industrial system upon which rests our present national wealth and power and the prosperity and happiness of our whole people! Here, in this act, supported by Henry Clay, by Henry St. George Tucker, and by Lowndes and John C. Calhoun! Here, in this tariff act passed by Southern votes, by the

votes of men at the time national and patriotic in their purposes and views, by leading spirits of the South against the vigorous protest and the votes of New England!

That, in the present attitude of parties, is an important fact.

**PART VII.**

**Subsequent Tariffs from 1816 to 1842.**

**Tariffs of 1824 and 1828 preserve and Strengthen the Protective Principle—Nullifiers—Agitation of South Carolina and other Southern States alarm friends of protection—They believe Protective Principle in Danger—Mr. Clay Introduces and Passes Compromise Tariff of March 2, 1833, with the object of preserving the Protective Principle.**

The great tariff acts of 1824 and 1828 only increased and extended and strengthened the provisions of the act of 1816 while preserving its principle in support of its beneficent national purposes—the encouragement of a system of home industries under the protection of the nation.

The tariff act of March 2, 1833, commonly known as the compromise tariff, provided for a biennial reduction of duties on all foreign imports which shall exceed 20 per cent. on the value thereof of one-tenth of such excess up to 31st December, 1842, when the residue of such excess should be deducted. This was the principal stipulation of the act. Among other provisions it contained that of a home valuation in assessing duties—a provision peculiarly odious to Mr. Calhoun and his nullifying adherents.

The passage of the tariff act of 1828 was peculiarly odious to South Carolina and other States South, which kept up an unceasing agitation against it, threatening nullification and even civil war if it was not repealed. This threatening attitude of South Carolina unduly alarmed some of the friends of protection. It led to the passage of the tariff act of March 2, 1833. Henry Clay, the author of the act, believing the principle of protection in peril, introduced the compromise act as a means of preserving that principle. In the Senate, in the debate upon this bill, Mr. Clay urged: "The main object of the bill is not revenue, but protection." In reply to Senators who maintained that the bill abandoned the protective principle, Mr. Clay declared that "the language of the bill authorized no such construction, and that no one would be justified



in inferring that there was to be an abandonment of the system of protection." Mr. John M. Clayton, of Delaware, a staunch protectionist and supporter of the bill, said:

The government cannot be kept together, if the principle of protection were to be discarded in our policy, and declared that he would pause before he surrendered that principle even to save the union.

And Mr. Clay added:

The bill assumes, as a basis, adequate protection for nine years and less beyond that term. The friends of protection say to their opponents, we are willing to take a lease of nine years, with the long chapter of accidents beyond that period, including the chance of war, the restoration of concord, and along with it a conviction common to all of the utility of protection, and in consideration of it, if, in 1842, none of these contingencies shall have been realized, we are willing to submit as long as Congress may think proper, with the maximum of 20 per cent.

This was the origin and the avowed purpose of the supporters of the act—to preserve the protective principle, believed at the moment to be in danger.

## PART VIII.

### Tariff of 1842.

**Disastrous Effects of Compromise Tariff of 1833—All Industries Ruined—Starving Workmen and their Families—Farmers Without Markets—Their Lands, Teeming with Rich Harvests, Sold by the Sheriff for Debts and Taxes—The Figures and Facts—Tariff of 1842 Restores Prosperity.**

The effects of the compromise tariff of 1833, combined with those of President Jackson's war upon the established financial system of the Government, were very disastrous. In 1840 all prices had ruinously fallen; production had greatly diminished, and in many departments of industry had practically ceased; thousands of workmen were idle, with no hope of employment, and their families suffering from want. Our farmers were without markets. Their products rotted in their barns, and their lands, teeming with rich harvests, were sold by the sheriff for debts and taxes. The tariff which robbed our industries of protection failed to supply Government with its necessary revenues. The national treasury in consequence was bankrupt, and the credit of the nation had sunk very low.

Mr. Calvin Colton, in his "Life of Henry Clay," describes, from the newspapers of the times, the ruinous condition of all our industries, in 1840, resulting from the combined influences

of the compromise tariff and Jackson's and Van Buren's financial measures. Mr. Colton says:

Mr. Clay states that the average depression in the value of property under that state of things which existed before the tariff of 1824 came to the rescue of the country, at *fifty per cent.* The revulsion of 1837 produced a far greater havoc than was experienced in the period above mentioned. The ruin came quick and fearful. There were few that could save themselves. Property of every description was parted with at sacrifices that were astounding, and as for the currency, there was scarcely any at all. In some parts of the interior of Pennsylvania, the people were obliged to divide bank notes into halves, quarters, eights, and so on, and agree from necessity to use them as money. In Ohio, with all her abundance, it was hard to get money to pay taxes.

The sheriff of Muskingum County, as stated by the *Guernsey Times*, in the summer of 1842, sold at auction one four-horse wagon, at \$5.50; 10 hogs at 6½ cents each; 2 horses (said to be worth from \$50 to \$75 each) at \$2 each; two cows at \$1 each; a barrel of sugar for \$1.50; and a "store of goods" at that rate.

In Pike County, Mo., as stated by the *Hannibal Journal*, the sheriff sold 3 horses at \$1.50 each; one large ox at 12½ cents; 5 cows, 2 steers, and 1 calf, the lot at \$3.25; 20 sheep at 13½ cents each; 24 hogs, the lot at 25 cents; 1 eight-day clock, at \$2.50; lot of tobacco, 7 or 8 hogsheds, at \$5; 3 stacks of hay, each, at 25 cents; and 1 stack of fodder, at 25 cents.—[*Vol. I, pp. 65, 66.*]

The United States Almanac estimated the losses, in four years from 1837, on five descriptions of capital alone, at \$782,000,000. In a series of letters to the people of the United States by Concivis, published in New York in 1840, it was estimated that the losses from the same causes on wool, (\$20,000,000;) cotton, (\$130,000,000,) and grain, (\$150,000,000,) was \$300,000,000! and shows that manufactures, lands, and every species of property and labor were affected to a like ruinous extent.

In the Presidential campaign of 1840 the Whigs, therefore, made the tariff a principal issue. One of their rallying cries was: "Two dollars a day and roast beef." The Democracy was badly beaten, and the Whigs, on August 30, 1842, passed a tariff which yielded protection to our nearly ruined industries, and rapidly worked a restoration of the prosperity of the nation through a revival of its industries and trade.

## PART IX.

### Tariff of 1846.

**Democratic Tariff Fraud in Pennsylvania in Presidential Election of 1844—James K. Polk, a Free Trader, Proclaimed as a Better Tariff Man than Henry Clay—Clay Denounced as having Abandoned Protection in the Compromise Tariff of 1833—Letters of James K. Polk and Judge McCandless, of Pennsylvania—Success of the**

**Fraud in the Election of Polk—Robert J. Walker Secretary of the Treasury—Passage of Tariff of 1846.**

In the Presidential campaign of 1844 Henry Clay, of Kentucky, the great champion of Protection, was the Whig candidate for President; James K. Polk, of Tennessee, was the Democratic candidate. The electoral vote of the great tariff State of Pennsylvania was necessary to Polk's success, but he was on record against protection. In the public mind he was believed to be a free trader. The Whigs so charged, and with great force, as Polk was supported by the free-trade South, and by every free-trader in the country. The situation was a difficult one for any but Democratic reform. In Pennsylvania Mr. Polk, by the Democratic orators and press, was boldly urged as a better tariff man than Mr. Clay. He was a protectionist, and Clay was denounced as having betrayed protection by the compromise act of 1833. The following letter from Mr. Polk was circulated:

COLUMBIA, TENN., June 19, 1844.

DEAR SIR: I have recently received several letters in reference to my opinions on the subject of the tariff, and, among others, yours of the 30th ultimo. My opinions on this subject have been often given to the public. They are to be found in my public acts, and in the public discussions in which I have participated. I am in favor of a tariff for revenue—such a one as will yield a sufficient amount to the Treasury to defray the expenses of the government, economically administered. In adjusting the details of a revenue tariff, I have heretofore sanctioned such moderate discriminating duties as would produce the amount of revenue needed, and at the same time afford reasonable incidental protection to our home industry. I am opposed to a tariff for protection MERELY, and not for revenue. Acting upon these general principles, it is well known that I gave my support to the policy of General Jackson's administration on this subject. I voted against the tariff act of 1823. I voted for the act of 1832, which contained modifications of some of the objectionable provisions of the act of 1823.

As a member of the Committee of Ways and Means of the House of Representatives, I gave my assent to a bill reported by that committee in December, 1832, making further modifications of the act of 1823, and making also discriminations in the imposition of the duties which it proposed.

That bill did not pass, but was superseded by a bill commonly called the compromise bill, for which I voted. In my judgment it is the duty of the government to extend, as far as it may be practicable to do so, by its revenue laws and all other means within its power, fair and just protection to all the great interests of the whole Union, embracing agriculture, manufactures, the mechanical arts, commerce, and navigation. I heartily approve the resolutions upon this subject passed by the Democratic National Convention lately assembled at Baltimore.

I am, with great respect, dear sir, your obedient servant,

JAMES K. POLK.

J. K. KANE, Esq., Philadelphia.

And a little later Polk's letter was reinforced by the following from Judge McCandless, an important and influential Democratic leader of the State:

PITTSBURG, August 8, 1844.

GENTLEMEN: Your cordial invitation of the 30th ultimo to be present with you at your mass-meet-

ing on the 31 of September came to hand during my absence in the north-western counties of Pennsylvania.

I assure you that I never wrote an apology for my inability to attend any public assemblage in the whole course of my political career with more reluctance than I do this. Clarion has not only been firm and steadfast in her adherence to Democratic principles, but she has been inflexible in her love and support of the tariff—that public measure which (aside from the bank question), like the rod of the Prophet, is destined to swallow up all other topics of political controversy. You have properly appreciated the importance of the *protective principle* to the success of the manufacturing and agricultural interests of Pennsylvania, and in the abandonment of that principle by Mr. Clay, in the compromise bill, you have the best guaranty that, if elected to the Presidency, he will carry out the principles of that bill, and afford you a horizontal duty, to enable you to contend with the pauper labor of Sweden and Russia. In doing so, he would give you and the tariff the same support that the rope does the hanging man—*instant death, and without "benefit of clergy."* Support him, if you can; for my own part, I shall go for Polk and Dallas, who have at heart the true interests of Pennsylvania.

My engagements, gentlemen, in the supreme court, will prevent me from attending your mass-meeting. With the brightest prospect of Democratic success—20,000 majority—I have the honor to be, truly yours,

WILSON McCANDLESS.

Messrs. ADAM MOONEY, SETH CLOVER, and others, Committee.

This fraud succeeded. James K. Polk was elected. Hon. Robert J. Walker, of Miss., a pronounced Free Trader, was made Secretary of the Treasury, the tariff of 1842, under which the country had so rapidly advanced to prosperity was repealed, and the Free Trade tariff of 1846 enacted.

**Disastrous effects of Tariff of 1846, upon all Industrial Interests—Testimony of Henry C. Carey.**

And now let some of the ablest men of the period through which this Free-Trade tariff extended, Democrats and Whigs, in a few brief extracts, tell the story of disaster and suffering which it worked.

Mr. Henry C. Carey, an able writer on Political Economy, in his "*The Prospect, Agricultural, Manufacturing, Commercial and Financial, at the opening of the year 1851*," and printed in 1851, during the operation of this Free-Trade tariff, thus describes its disastrous effects upon every industrial interest:

At close of this brief period of real "prosperity" [in 1846], how great was the change. Labor was everywhere in demand. Planters had large crops, and the domestic market was growing with a rapidity that promised better prices. The produce of the farm was in demand, and prices had risen. The consumption of coal, iron, wool, and cotton, and woollen cloth, was immense and rapidly increasing, while prices were falling, because of the rapidly improving character of the machinery of production. Production of every kind was immense, and commerce, internal and external, was growing with unexampled rapidity. Shipping was in demand, and its quantity was being augmented at a rate never before known. Roads and canals were productive. Corporations had been resuscitated, and States had recommenced payment, and the credit of the Union was so high that the same persons who had vilified the people and the govern-



ment of the Union in 1842, were now anxious to secure their custom on almost any terms—having become as fawning now as before they had been insolent.—P. 35.

And again in a letter to Hon. Robert F. Walker, Secretary of the Treasury, he says:

The tariff of 1846 has caused the total ruin of thousands and tens of thousands of the most useful men in the country. It tends to the utter destruction of the coal and the iron, the cotton and the woolen interest; and unless its progress be stayed, at that goal we must soon arrive, as must be admitted even by yourself. For all this we should elsewhere find some compensation. If we produce less coal and iron, we should have more wheat to sell. If we make less cotton cloth, we should export more cotton. If we make less woolen cloth, we should raise more wool. If we build fewer factories, we should export more tobacco. If we build fewer furnaces, we should export more corn and pork; and all these things we must do or largely diminish our consumption of cloth and iron, because if we do not make we must buy them, which can be done only by producing commodities which their producers are willing to receive in exchange for them. If these things have happened there may be found therein some compensation for diminished production of cloth and iron; but if they have not happened, then there is no compensation for the vast destruction we have witnessed and are daily witnessing.

Have they happened? Have we more wheat to export. On the contrary, we have less from year to year. Have we more cotton, rice, tobacco, corn, and pork to sell? The answer is found in the fact that the quantity for export diminishes from year to year. The demand for ships diminishes and the demand for labor diminishes, and instead of this country becoming from year to year more and more an asylum for the down-trodden people of Europe, it becomes from year to year less so; and with the diminution of immigration there is a diminution of the number of persons with whom we maintain perfect freedom of trade, untrammelled by the interference of custom-house officers. Under the tariff of 1842 immigration trebled, and with each immigrant we established perfect freedom of trade. Under the tariff of 1846 immigration has become stationary, with a tendency to decline, and the number of arrivals in the last fiscal year is little greater than it was three years before. Perfect free trade has ceased to extend itself. We trade now with a million of Europeans, still resident in Europe, who, but for the enactment of the tariff of 1846, would now be Americans.—P. 5.

**Abram S. Hewitt, Free Trade Democratic Leader in House, denounced, in 1849, the Tariff of 1846 as ruinous to all our Industrial Interests—His Speech at Trenton, N. J.**

Mr. Abram S. Hewitt, of New York, is one of the ablest of the leading Democrats of the present House. He is now an advocate of Free Trade. He was also a Democrat in 1848, but under the ruinous operation of the Free Trade tariff of 1846, he was compelled to demand protection as the only means of a restoration of prosperity. At a public meeting in Trenton, N. J., in September, 1848, Mr. Hewitt, urged:

Labor in Europe was worth twenty-five or thirty cents a day; in this country three or four times that much. The average wages in their mill is a little more than a dollar a day, (now \$2.) Why was there this difference between English wages and American wages? Because some eight hundred years ago Britain was invaded by a foreign conqueror who seized all the land and wealth of the island and devoted it to sustain a royal family

and a landed aristocracy, and compelled the people, the serfs, whom they made worse than slaves, to toil for them for the merest pittance that would keep them alive. That system continues to this day, the people still toil on for the most niggardly wages, and the great part of their earnings goes to sustain the Queen in her pomp and the nobles in their spendthrift idleness. In this country it was not so. Our forefathers settled here as men, all of whom were equal to each other, and all of whom were entitled to the products of their labor. Whatever any man earned was his, all his, and no part of it was to be taken to sustain a monarch's splendor or an idle aristocracy. Under this system the colonies grew and flourished until they attracted the attention of the government at home, and that government attempted by taxing them to take from them a portion of their earnings just as they took from the workmen at home the chief part of theirs. That attempt our fathers resisted by arms, and successfully. But in these days the attempt is renewed, and by our own government; they are endeavoring to break down the difference of English wages and American wages, to reduce the American workman from his dollar a day to an equality with the English workman, who receives as the fruits of his labor only a paltry share, while the remainder is taken to support a king and nobility.

"The value of any manufacture is made up entirely of the wages paid to produce it. Coal and iron in the mines cost nothing. They are the free gift of God. But they are excavated by the pick and shovel of the workman; by him they are wheeled, carted, boated to market; by the workman they are carried to the mill; by the workman the furnace is heated and charged; by him the iron is puddled, rolled, put up for market, carried thither and sold. It is labor, labor, labor that constitutes every addition to the value of the article, and it is the man who bestows that labor who should enjoy all the fruits of it."

"I have lately been in New England for the purpose of securing a contract for rails, in order to keep the mills running after our present contract runs out. I offered to make the rails at the very lowest price at which they could be made at the present rate of wages. An English agent came there and underbid me and got the contract. Thus, for want of a protective system, is the money sent to England to employ English workmen that ought to have come here to employ you."

Mr. Hewitt said he was not a Whig, but a Democrat. Still he went for protection now, as he did, and as his party did, in 1844, and he went for General Taylor because he would sign a bill to protect American labor. He did not ask for any unreasonable duty. He only asked for a duty equal to the difference between American labor and English labor, &c.

Mr. Hewitt closed by proposing a series of resolutions embodying the general principles he had advanced:

*Resolved*, That this meeting, composed of men who depend for their livelihood upon the labor of their own hands, hold the following facts and principles to be undeniably true, viz:

That natural wealth is the fruit of individual labor.

That, therefore, is the best government and the best policy which secures to the hand that earns it the largest possible return for its labor.

That the superiority of free institutions and economical government is proved by the fact that in the United States the average wages of labor are from three to four times as large as under the monarchical governments of Europe.

That while foreign labor is paid at this price, it would be worse than insanity to adopt any policy by which the wages of our own labor should be reduced to the same level, because it would be throwing away all the advantages secured to us by a free and economical government.

That if the whole productive industry of the country were employed in producing the articles which we sell abroad, which are mainly breadstuffs and provisions, cotton, rice, and tobacco, we should produce a much larger quantity than we

could sell; foreign markets would soon be glutted with these articles; the price of them would fall; the laborer that produced them would, as a matter of course, receive less remuneration than it now does; the only stopping point in the decline of wages would be the starving point, and the inevitable result would be that we should be forced to give equal labor for equal labor, instead of one day's labor for four, as we have been doing for many years.

That, therefore, if we would keep up the price of labor, we cannot employ the whole productive labor of the country in raising such articles as we export; and the farmers, of all men in the community, are most interested in employing in some other way that amount of labor, which, if devoted to agriculture, would produce a glut, and a consequent fall of prices in the foreign markets; and that the only way in which such surplus labor can be employed is in producing certain manufactured articles, which can be bought cheaper in foreign countries, not because it takes less labor there to produce them, but because that labor is paid for at a less price.

That hence arises the necessity for a tariff, which, properly devised, is merely a system whereby the price of labor, which naturally results under a free and economical government, is prevented from being reduced to the pauper level of labor which just as naturally results under governments where the first fruits of labor, instead of being secured to the hand that earns them, are flung away in order to maintain the costly splendor of thrones and the idle extravagance of an enervated aristocracy.

A little later, in December, 1849, Mr Hewitt repeats the story of ruin:

And first, what is the real condition of the domestic iron trade? Is it actually depressed and threatened with ruin, or does all the outcry proceed from men who, having realized "princely fortunes" annually, are now clamorous because their profits are reduced to reasonable limits, or from another class who, having erected works in improper locations, desire not so much to make iron cheaply as to build up villages and speculate in real estate? Undoubtedly to some extent there are such cases, \* \* \* but as to the great fact that the great majority of establishments judiciously located and managed with proper skill and economy have been compelled to suspend work throughout the land for want of remunerating work there cannot be a shadow of a doubt.

Again, of fifteen rail mills only two are in operation, doing partial work, and that only because their inland position secured them against foreign competition, for the limited orders of neighboring railroads, and when these are executed not a single rail mill will be at work in the land.

#### **Hon. Joseph Casey of Pa., Relates the Ruin to the Iron-Trade.**

In the House of Representatives, on the 12th of August, 1850, Hon. Joseph Casey, of Pa., declared:

The whole history of the manufacture of iron in Pennsylvania shows that in a period of seventy-five years there have been erected 500 furnaces, and out of them 177 failures or where they have been closed out by the sheriff. Out of this 177 failures 124 of them have occurred since the passage of the tariff of 1846. And out of 300 blast furnaces in full operation when the tariff of 1846 was enacted into a law, or fully one-half, had stopped several months ago, and fully 50 more are preparing to go out of blast.

**President Fillmore, in his Message, tells the Story of Disaster and Ruin to all of our industries—Asks for a restoration of Protection as a means to**

#### **a revival of National and Industrial Prosperity.**

President Fillmore, in his Annual Message, dated December 2, 1851, says:

The values of our domestic exports for the last fiscal year, as compared with those of the previous year, exhibit an increase of \$43,646,322. At first view this condition of our trade with foreign nations would seem to pre-ent the most flattering hope of its future prosperity. An examination of the details of our exports, however, will show that the increased value of our exports for the last fiscal year is to be found in the high price of cotton which prevailed during the last half of that year, which price has since declined about one-half. The value of our exports of breadstuffs and provisions, which it was supposed the incentive of a low tariff and large importations from abroad would have greatly augmented, has fallen from \$68,701,921 in 1847 to \$26,051,373 in 1850 and to \$21,848,653 in 1851, with a strong probability, amounting almost to a certainty, of a still further reduction in the current year. The aggregate values of rice exported during the last fiscal year as compared with the previous year also exhibit a decrease amounting to \$460,917, which, with a decline in the values of the exports of tobacco for the same period, make an aggregate decrease in these two articles of \$1,156,751.

The policy which dictated a low rate of duties on foreign merchandise, it was thought by those who promoted and established it, would tend to benefit the farming population of this country, by increasing the demand and raising the price of agricultural products in foreign markets.

The foregoing facts, however, seem to show incontrovertibly that no such result has followed the adoption of this policy.

#### **In a subsequent Message President Fillmore, urges:**

In my first annual message to Congress I called your attention to what seemed to me some defects in the present tariff and recommended such modifications as in my judgment were best adapted to remedy its evils and promote the prosperity of the country. Nothing has since occurred to change my views on this important question.

Without repeating the arguments contained in my former message in favor of discriminating protective duties, I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is the effect of large importations of foreign goods upon our currency. Most of the gold of California, as fast as it is coined, finds its way directly to Europe in payment for goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners, the capital invested in them is lost, thousands of honest and industrious citizens are thrown out of employment, and the farmer, to that extent, is deprived of a home market for the sale of his surplus produce. In the third place, the destruction of our manufactures leaves the foreigner without competition in our market, and he consequently raises the price of the article sent here for sale, as is now seen in the increased cost of iron imported from England. The prosperity and wealth of every nation must depend upon its productive industry. The farmer is stimulated to exertion by finding a ready market for his surplus products, and benefited by being able to exchange them, without loss of time or expense of transportation, for the manufactures which his comfort or convenience requires. This is always done to the best advantage where a portion of the community in which he lives is engaged in other pursuits. But most manufactures require an amount of capital and a practical skill which cannot be commanded unless they be protected for a time from ruinous competition from abroad.

**President Buchanan, in his Messages, affirms the Story of Ruin—in the midst of Unsurpassed National Wealth**



**Manufactures Suspended—Public Works Retarded—All Kinds of Private Enterprises Abandoned—Thousands of Workingmen Idle and reduced to Want—Government Revenues Reduced and a National Loan Required.**

President Buchanan, at the close of this disastrous period, in his annual message, also appealed for protection as a means of rebuilding our dilapidated industries and trade. In his annual message, dated December 8, 1857, he urges :

Since the adjournment of the last Congress our constituents have enjoyed an unusual degree of health. The earth has yielded her fruits abundantly and has bountifully rewarded the toil of the husbandman. Our great staples have commanded high prices, and, up till within a brief period, our manufacturing, mineral, and mechanical occupations have largely partaken of the general prosperity. We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country, in its monetary interests, is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions and in all the elements of national wealth we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want. The revenue of the government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, while the appropriations made by Congress at its last session for the current fiscal year are very large in amount.

Under these circumstances a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove to be only a slight misfortune when compared with the suffering and distress prevailing among the people. With this the government cannot fail deeply to sympathize, though it may be without the power to extend relief.

**The Free Tariff which Struck Down our Industries also Failed to Supply the Necessary Revenues for Government—The National Treasury Bankrupt—The National Credit Fallen to its Lowest Ebb—Treasury Notes sold at 12 per cent. Discount—The Inevitable Result of Free Trade.**

As in 1840, under the destructive operation of the compromise tariff of 1833, so in 1860, under the free-trade tariff of 1846, the act which struck down our industries, necessarily destroyed our trade, and failed to supply the government with its necessary revenues. In 1860 the national treasury was bankrupt, and the credit of the nation had fallen to its lowest ebb in our financial history. A Treasury statement thus gives the figures at which in 1860 our Treasury notes were sold:

At 6 per cent.....	\$70,200
At 7 per cent.....	5,000
At 8 per cent.....	24,500
At 8½ per cent.....	33,000
At 8¾ per cent.....	10,000
At 9 per cent.....	65,000

At 9½ per cent.....	10,000
At 9¾ per cent.....	160,000
At 9¾ per cent.....	77,000
At 10 per cent.....	1,027,500
At 10¼ per cent.....	266,000
At 10½ per cent.....	623,000
At 10¾ per cent.....	1,367,000
At 11 per cent.....	1,432,700
At 12 per cent.....	4,840,000

Total..... 10,010,900

And this is the inevitable result of free trade. The destruction of our industries, reducing our laboring classes, manufacturing and agricultural, to want and misery, the ruin of commerce and trade, and that of the people and nation.

## PART X.

### **Free Trade—Its History Under Our Government—The Handmaid of Slavery and Secession.**

**Wm. B. Giles, of Virginia, the Leader of the Opposition Under Washington's Administration, a Free-Trader—Free Trade as Advocated by the Champions of Slavery and Minority Rule—Supported by the "Educated Classes"—Jno. Taylor of Caroline and his Works—Denounces Manufactures as Injurious to Morals—Denounces Protective Duties as Bounties to Manufacturers—As Unconstitutional and Ruinous to Agriculture and Commerce, while Declaring the Government a League, &c.—These Free Trade and Pro-Slavery Dogmas Culminate in 1832 in Nullification and Treason.**

The leader of the opposition in the House to Washington's administration was Mr. Wm. B. Giles, of Virginia. In 1797, upon the retirement of Washington, Giles rejoiced in the fact, as he believed it would result in the public good. He had no admiration or respect for Washington's administration or its measures. Mr. Giles was a free trader. John Taylor, of Caroline, a noted man of his time, and probably the ablest of the free trade or States' rights school, was also a member of this opposition. In Congress and in his published works, such as "*Construction Construed and the Constitutions Vindicated*," (1820) "*Tyranny Unmasked*," (1822) he denounces protection as unconstitutional and tyrannical, and even barbarous. He describes protective duties as bounties. He denounces manufactures as injurious to morals, and as producing pauperism—protective duties as a tax on the many for a bounty to the few—as ruinous to

agriculture and commerce and destructive of revenue. Some notion of his abilities and principles may be given by a few extracts from his works. In "*Construction Construed*," (pp. 232, 233,) he argues:

The policy of fostering combinations by federal laws, has undoubtedly transferred, and continues to transfer, a considerable portion of the profits of labour, from one portion of the Union to another; not to enrich the people generally of the receiving States, but to mass great capitals for a few individuals residing in them; towards which all the States contribute, and by which is artificially reared a monied interest at the expense of the whole community, which is gradually obtaining an influence over the federal government, of the same kind with that possessed by a similar sect over the British parliament. The operations of this sect, being already sorely felt, have already produced awful calculations in reference to a dissolution of the Union. These arise from its new efforts to gratify an insatiable avarice, and its fears of the resentment it excites. It therefore craftily works upon the passion of the States it has been able to delude, by computations of their physical strength and their naval superiority; and by boasting of an ability to use the weakening circumstance of negro slavery, to coerce the defrauded and discontented States into submission.

The indignation excited by these threats has suggested on the other hand, estimates of resources and means of defence. \* \* \*

If the maxim advanced by the advocates of the protecting duty system will justify Congress in assuming, or rather in empowering a few capitalists to assume the direction of manufacturing labour, it also invests that body with a power of legislating for the direction of every other species of labour and assigning all occupations whatsoever to the care of the intelligence of mercenary combinations. This is the very power which constitutes the nature of the Chinese and British governments, enables them to place labor under the intelligent direction of mercenary combinations, and causes the miseries of labourers in those countries. (*Ibid.*, p. 251.)

The fundamental axiom upon which his theories or reasoning are based is—

The federal is not a national government; it is a league between nations. By this league, a limited power only over persons and property was given to the representatives of the united nations. This power cannot be further extended, under the pretext of *national* good, because the league does not create a national government. (*Ibid.*, p. 234.)

Under Washington and the elder Adams, and even under Jefferson, these principles made but little headway even at the South. As late as 1816 we find Calhoun advocating protection, and warning the House of a "new and terrible danger"—"disunion." He advocated protection because its tendency was to bind the sections more closely together by harmonizing their industrial interests, and thus defeating disunion by removing the grand and primary ground upon which it was advocated. As yet these sentiments and this treasonable policy—free trade and secession—were confined to a few of the "educated classes," like John Taylor and William B. Giles, but by incessant iteration they

gradually spread in the South. They, however made no very formidable headway until the passage of the tariff act of 1824. Now, in the States of South Carolina and Georgia, great excitement prevailed, and it continued to increase under the action of the majority in Congress until, in 1832-'33, it culminated in Nullification, in preparations for open revolt, in consequence of the passage of the tariff law of 1828.

**Dr. Thomas Cooper, President of South Carolina College, at Columbia, in July, 1827—The Leader of the Southern "Educated Classes"—Of Southern Thought and Action—Denounces Manufacturers as a Hydra—Denounces the Rule of the Majority—His Seditious and Treasonable Utterances—His call to Resistance—Time to "Calculate the Value of our Union."**

On July 2, 1827, at a meeting in Columbia, S. C., of its "educated classes," of "the elite of its wealth and intelligence," its slave owners, called in hostility to protecting duties, the celebrated Dr. Thomas Cooper, President of South Carolina College, a man of genius and learning, and of great influence in his section, boldly preached sedition and treason. He inveighed heavily against the rule of the majority. He exclaimed: "Manufacture is a Hydra." He urged;

No wonder, if a drilled and managed majority occupies the hall of the House of Representatives, and wielding the power of the nation, determines at all hazards to support the claims of northern manufacturers, and to offer up the planting interest on the altar of monopoly. \* \*

That equality of rights, equality of duties, equality of burthens, equality of protection, equality of laws, constituted the prevailing features of our happy institutions; but I am now, sir, to learn for the first time, that in the canting, cheating, cajoling slang of the monopolists, the *American system* is a system, by which the earnings of the south are to be transferred to the north—by which the many are sacrificed to the few—under which powers are usurped that were never conceded—by which inequality of rights, inequality of burthens, inequality of protection, unequal laws, and unequal taxes are to be enacted and rendered permanent—that the planter and the farmer under this system are to be considered as inferior beings to the spinner, the bleacher, and the dyer—that we of the south hold our plantations under this system, as the serfs and operatives of the north, subject to the orders and labouring for the benefit of the master minds of Massachusetts, the lords of the spinning enny, and peers of the power loom, who have a right to tax our earnings for their emolument, and to burthen our poverty and to swell their riches. This is the *American system* these gentlemen are pleased to hold up as the idol of the day; as the golden image, which they indeed may be well content to worship. To call this system of fraud, robbery, and usurpation the *American system* will sound to your ears, as it does to mine, a base libel on American character. \* \*

I have said that we shall ere long be compelled to calculate the value of our union; and to enquire of what use to us is this most unequal alliance, by which the south has always been the loser, and the north always the gainer! Is it worth our



while to continue this union of states, where the north demands to be our masters and we are required to be their tributaries? Who with the most insulting mockery call the yoke they put upon our necks the "American system!" The question, however, is fast approaching to the alternative of submission or separation. \* \* \* [Niles' Register, Vol. xxxiii, pp. 28-32.]

On July 4, 1827, at a banquet at Richmond, Virginia, distinguished for its seditious utterances, and at which "the élite of its educated classes," its slave-holding chivalry, were assembled, Mr. Giles proposed his famous toast:

THE TARIFF SCHEMER: The silly boy who ripped up his goose that laid the golden eggs—*The Southerners will not long pay tribute.* [Niles' Register, Vol. xxxii, p. 371.]

**The Walterborough, (S. C.) Anti-Tariff Meeting of June, 1828—Its Seditious and Treasonable Utterances—The "Educated Classes" Publish the Notorious Colleton Address in Support of Free Trade and Minority Rule.**

On June 12, 1828, at a meeting held at Walterborough Court House, S. C., a gathering of the "educated classes" of the district, its slave-holding thanes, issued the treasonable Colleton Address so notorious in its day. A few brief extracts will expose its character and purpose:

During the last summer, we collected together in our district capacities, and from every section of the State, declared to the Congress of the United States, that a tariff framed with a view to encourage domestic manufactures was contrary to our free and chartered rights. Our legislature took the subject into consideration. They condescended to repeat, what they had already said in 1824; and in an able and dispassionate memorial, solemnly laid their protest before the Congress of this union against such partial and unconstitutional legislation. As a sovereign state, we have declared that such a tariff would be a violation of our sovereign rights. As freemen, we have proclaimed to the world that such a tariff would be an infringement of our privileges as men; and in terms as moderate as they were respectful, we have implored our brethren not to drive us to the stern alternative of submitting in shame, or resistance in sorrow. Your remonstrances and your implorations have been in vain; and a tariff bill has passed, not, indeed, such as you apprehended, but tenfold worse in all its oppressive features. \* \* \*

From the rapid step of usurpation, whether we now act or not, the day of open opposition to the pretended powers of the constitution, cannot be far off, and it is that it may not go down in blood that we now call upon you to resist. We feel ourselves standing underneath its mighty protection, and declaring forth its free and recorded spirit, when we say we must resist. By all the great principles of liberty—by the glorious achievement of our fathers in defending them—by their noble blood poured forth like water in maintaining them—by their lives in suffering, and their death in honor and in glory;—our countrymen! we must resist. Not secretly, as timid thieves or skulking smugglers—not in companies and associations, like money-changers or stock-jobbers—not separately and individually, as if this was ours and not our country's cause,—but openly, fairly, fearlessly, and unitedly, as becomes a free, sovereign, and independent people. Does timidity ask "when?" We answer now. \* \* \*

But if you are doubtful of yourselves—if you are not prepared to follow up your principles wherever they may lead, to their very last consequence—if you love life better than honor—prefer ease to perilous liberty and glory, awake not, stir not! Impotent resistance will add vengeance to your ruin. Live in smiling peace with your insatiable oppressors, and die with the noble consolation, that your submissive patience will survive triumphant your beggary and despair. (Niles' Register, Vol. xxiv, pp. 283-290.)

**The Seditious and Treasonable Utterances of these "Educated Classes" Fire the Southern Heart—Nullification—"The Bloody Old Tyrant" Jackson Causes them to Revise Their Resolves "To Die in the Last Ditch"—The Disastrous Compromise Tariff of 1833 the work of these Classes—Free Trade, Slavery, and Secession March Arm in Arm—The Tariff of 1846 their Ruinous Work—Their Joint Reign Culminates in the Rebellion.**

"To calculate the value of our Union"—"Southerners will not long pay tribute!" These inflammable and seditious utterances of the educated leaders of the slave-owning gentry, were soon adopted as maxims, as a slogan, by the pro slavery thanes and their retainers, and the Southern heart was fired. Under their guide, under the tyranny of these educated classes, these seditious haters of freedom and the masses and supporters of minority rule based upon slavery, South Carolina, on November 24, 1832, passed its Ordinance of Nullification. It declared that the tariff acts of May 19, 1828, and of July 14, 1832, were "unauthorized by the Constitution," and "null, void, and no law, nor binding" upon South Carolina, "its officers or citizens." It instructed its people to resist the national authority—to violently resist the execution of laws constitutionally enacted in Congress by a lawful majority with the approval of the President! It summoned them to arms in support of treason to the constitution—treason to liberty and free government.

But "the bloody old tyrant" President Jackson took the field, and these intrepid educated leaders speedily revised their unyielding resolves "to die in the last ditch." The result of this traitorous escapade was nevertheless disastrous to the whole people and nation. A principle of chivalry in Henry Clay's nature, a wish to rescue these educated pro-slavery gentry in arms against the majority from the halter designed for them by Jackson, with a sincere alarm for the safety of the protective principle, caused Clay to introduce and pass the compromise tariff of 1833, with its train of disastrous results. It was a great error. Clay's heart overruled his judgment. Jackson, supported by Webster, had determined to test the powers of the government in the sum-

mary punishment of these traitorous pro-slavery educated leaders; and when they were thus wrested from his vengeance, he predicted that the pretended acquiescence of South Carolina in the execution of the laws was not genuine—that its “educated classes,” its pro-slavery thanes, had not surrendered their purposes of disunion, but that they would next attempt to accomplish it through the slavery issue. Jackson was right. From that moment, Free Trade, Slavery, and Secession marched arm in arm. They were inseparable. They wrought the industrial ruin of 1840. They inflicted upon the nation the losses and disasters under the tariff of 1846, during the period extending from 1849 to 1861, when these educated classes, in support of free trade and slavery, threw up the banner of rebellion—causing a loss to the nation of 500,000 lives and nearly 7,000,000,000 of treasure.

## PART XI.

### The South under the Rule of its Free Trade Dogmas.

**Slavery the Parent of Free Trade—The Condition of the Laboring Masses at the South under Slavery and Free Trade—Their Degraded Condition described by Southern Men—Governor Hammond's (of South Carolina) Story of their Wretchedness.**

The “educated” or leading classes of the South, its planting or slave-owning classes prior to the rebellion, were radically opposed to what was called “free labor.” They were consequently opposed to free laborers. In the language of Dr. Cooper “manufacture was a hydra.” Hence they were opposed to all manufacturing establishments. All mechanical crafts or labor were regarded as degrading, and hence its “educated” or ruling classes were all free traders.

What was the situation of the South under this state of affairs? What the condition and character of its masses or the majority? We will let Southern men tell the pitiful story. Some of them were humane, public spirited, and possessed of an ambition to serve the masses. Governor Hammond, of South Carolina, afterwards Senator of the United States, before the South Carolina Institute in 1850, described “the poor whites” as ignorant, degraded, and immoral, reduced to the frightful necessity of obtaining “a precarious subsistence by occasional jobs, by hunting, by fishing, by plundering fields or folds, and too often by what is far worse, by trading with slaves and seducing them to plunder for their benefit.”

**Mr. Tarver's (of Missouri) Testimony in his “The Non-Slaveholders”—Their Land Universally so Poor and Sterile as only to furnish a Scanty Subsistence—The Aristocratic Educated Classes Monopolize all Wealth—The Poor White Declines the Hopeless Pursuit of a Respectable Position in the Scale of Wealth—Their Condition Becoming Worse with Every Generation.**

In a work by Mr. Tarver, of Missouri, printed in 1847, and titled “The Non-Slaveholders,” even the better classes, those owning some little land, are described as possessing “generally but very small means.” Mr. Tarver says:

The land which they possess is almost universally very poor, and so sterile that a scanty subsistence is all that can be derived from its cultivation; and the more fertile soil, being in possession of the slaveholder, must ever remain out of the power of those who have none.

The slaveholder—the aristocratic oppressor—possessed almost all the wealth of the country. This state of things is a great drawback, and bears heavily upon and depresses the moral energies of the poorer classes.

The acquisition of a respectable position in the scale of wealth appears so difficult that they decline the *hopeless pursuit*, and many of them settle down in a habits of idleness, and become the almost passive subjects of its consequences. And I lament to say that I have observed of late years that an evident *deterioration* is taking place in this part of the population, the younger portion of it being *less educated, less industrious, and in every point of view less respectable than their ancestors.*

**Mr. J. H. Taylor's (of Charleston, S. C., Testimony—The White Non-Slaveholding Freeman but One Step in Advance of the Indian—An Evil of Vast Magnitude—Mr. Gregg's (of Charleston, S. C.) Testimony—The Poor Whites Deplorably Ignorant and Debased—Efforts to Christianize Them by the Introduction of Manufacturing Establishments—Live in Comparative Nakedness and Starvation—Many a proud South Carolinian Stinted for Meat—A Wretched Condition Without a Parallel Within the Pale of Civilization.**

A similar picture of the almost hopeless degradation of the whitenon-slaveholder, is also drawn by Mr. J. H. Taylor of Charleston, S. C., and others. Mr. Wm. Gregg, of Charleston, in 1850, in an address before the South Carolina Institute, urges:

Any man who is an observer of things could hardly pass through our country without being struck with the fact that all the capital, enterprise, and intelligence is employed in directing slave labor; and the consequence is that a large portion of our poor white people are wholly neglected, and are *suffered to while away an existence in a state but one step in advance of the Indian of the forest.* It is an evil of vast magnitude, and nothing but a change in public sentiment will effect its cure. These people must be brought into daily contact with the rich and in-



telligent. They must be stimulated to mental action, and taught to appreciate education and the comforts of civilized life.

Mr. Gregg and others established a manufacturing village at Granitsville, S. C. He thus describes the result:

We have collected at that place about eight hundred people, and as likely looking a set of country girls as may be found—industrious and orderly people, but *deplorably ignorant*, three-fourths of the adults not being able to read or to write their names. \* \* \* With the aid of ministers of the gospel on the spot, to preach to them and lecture them on the subject, we have obtained but about sixty children for our school of about a hundred which are in the place. We are satisfied that nothing but time and patience will enable us to bring them all out. \* \* \* It is very clear to me that the only means of educating and Christianizing our poor whites will be to bring them into such villages, where they will not only become intelligent, but a thrifty and useful class in our community.

Mr. Gregg, in another work, his *Essays on Domestic Industry, &c.*, asks:

Shall we pass unnoticed the thousands of poor, ignorant, degraded white people among us, who, in this land of plenty, live in comparative nakedness and starvation? Many a one is reared in proud South Carolina, from birth to manhood, who has never passed a month in which he has not some part of the time been stinted for meat. "any a mother is there who will tell you that her children are but scantily supplied with bread, and much more scantily with meat; and if they be clad with comfortable raiment it is at the expense of their scanty allowance of food."

"These are startling statements," urges Mr. Gregg, "but they are nevertheless true," and he appeals in support of their truth to members of the South Carolina legislature, "who have traversed the State in electioneering campaigns."

**All efforts to ameliorate the Wretched condition of the Poor Whites Frustrated by Selfish Pride, the Insatiable Avarice of the Educated, or Planting classes—Slavery and Free Trade cheaply supply all their wants—Manufacturing establishments immoral and irreligious—Poor Whites degraded, half clad, half fed, and ignorant—Testimony of Mr. Tracy and Mr. Lumpkin (of Georgia), in his "Industrial Regeneration of the South"—Sad Pictures of Degredation.**

But the selfish pride, the insatiate avarice, of the "educated classes," the iron tyranny of caste, was not to be influenced by appeals to their humanity. Their natures were insensible to the degradation and misery daily before their eyes. Slavery and free trade supplied cheaply all their own physical wants. Why should they trouble themselves about the poor whites? Besides, free labor, the introduction of mechanics or manufactures, would demoralize their communities. The establishment of manufacturers in the North and

East, as in all countries where mechanical industries had thrived, had been a "Pandora box that had filled the land with all sorts of moral plagues"—had destroyed the morals and the religion of the people, had introduced "skepticism, atheism, and debauchery," and the introduction of manufactures, the naturalization of mechanics, in the South, would be attended with like evils and untold horrors. In vain did the friends of manufactures oppose to this a different and more truthful picture. Mr. R. W. Roper of South Carolina, in an address in 1844 before the State Agricultural Society, urged:

The effect of this diversity of labor has been to extend competence among the neighboring people, to improve their morals, intelligence, and education, and establish a more respectable order of society. These results have been demonstrated in Spartansburg and around many of our large manufacturing establishments.

Said Mr. Tracey:

The manufacturing business \* \* \* grows up a healthy population, is favorable to early schooling and good education and early habits of industry; stimulates to enterprise, economy, and frugality in living and saving. The products of their labor, and at the same time the organizations of their establishments in villages, being necessary for success they are placed in a more favorable situation for the cultivation of moral and religious character, without which civilized man is still a savage, and a very limited degree of human happiness attained.

Mr. Wm. Gregg, in his "*Essays on Industry*," urged:

It is only necessary to build a manufacturing village of shanties in a healthy location in any part of the State to have crowds of these poor people around you seeking employment at half the compensation given to operatives at the North. It is indeed painful to be brought in contact with such ignorance and degradation; but on the other hand it is pleasant to witness the change which soon takes place in the condition of those who obtain employment. The emaciated, pale-faced children soon assume the appearance of robust health, and their tattered garments are exchanged for those suited to a better condition; if you visit their dwellings you will find their tables supplied with wholesome food; and on the Sabbath, when the females turn out in their gay colored gowns, you will imagine yourself surrounded by groups of city belles.

And Hon. J. H. Lumpkin, of Georgia, in 1852, in a paper on the "*Industrial Regeneration of the South*," urged:

It is objected that these manufacturing establishments will become the hotbeds of crime. \* \* \* But I am by no means ready to concede that our poor, degraded, half-fed, half-clothed, and ignorant population, without Sabbath schools or any other kind of instruction, mental or moral, or without any just appreciation of character, will be injured by giving them employment which will bring them under the oversight of employers, who will inspire them with self-respect by taking an interest in their welfare.

**The "Educated" or Planting Classes would have have no Education of the Masses—No Manufactures or Free Labor—Slavery the Only Cure for the Debased Condition of the Poor White—They Propose to Reduce the Poor White to Slavery—White Slavery justified by Divine Writ—Liberty for the Few, Slavery in Every Form for the Masses—Wretchedness and Ruin the Inevitable Results of Slavery and Free Trade.**

But these and other intelligent and humane spirits labored in vain. The "educated classes" refused to be convinced. In their opinion the non-slave owning masses, the poor white freeman, like the negro, possessed naturally, but few, very few, of the highest attributes of humanity—very few of its rights, and none where they conflicted with those of the "educated," or slave owning classes. Hence they would have no education of the masses—no introduction or naturalization of manufactures or free labor in the South. But this discussion and the advancing opinion of the age—the pressure of freedom and free institutions upon all sides of their oligarchy—warned the "educated" leaders of Southern thought and action that they must adopt some measure to alter the condition of the non-slave owning freeman. What was it? They had established free-trade through the tariff of 1846. They had struck the industries of the North a crushing blow, had ruined its capitalists and reduced thousands of its industrial masses to idleness and want, and now they entered the debate with a counter proposition for the relief or reform of the non-slaveholding white freeman's condition. They insultingly proposed to degrade him into a slave. They urged that "slavery would elevate him morally, socially, and physically," and possibly it would in the South; for, under the combined malign influences of Slavery and Free Trade, he was wretchedly debased. They even maintained that "slavery was the natural and normal condition of the laborer!" They had previously only attempted the justification of negro slavery upon the strength of Noah's curse of Canaan. They now wholly changed the defense of the institution. Mr. Fitzhugh, of Virginia, that "conservative" leader of the pro-slavery "educated classes," that brilliant leader of Southern thought and action, boldly announced:

We do not adopt the theory that Ham was the ancestor of the negro race. The Jewish slaves were not negroes and to confine the justification of slavery to that race, would be to weaken its scriptural authority and to lose the whole weight of profane authority, for we read of no negro slavery in ancient times. \* \*

"Slavery, black or white, is right and necessary."

Fitzhugh declared: "Our negroes are not only better off as to physical comfort than free laborers, but their moral condition is better." "Two hundred years of liberty have made white laborers a pauper banditti. Free society has failed, and that which is not free must be substituted."

Hon. L. M. Keitt, of South Carolina, in the House of Representatives, gravely stated:

"Slavery is a great primordial fact, rooted in the origin of things!" \* \* \* "As a corollary to this, it may be safely deduced that the existence of [white] laborers and mechanics in organized societies was the result of the partial and progressive emancipation of slaves." \* \* "History tells us also that when the [white] working classes stepped out of bondage they branched into four recurring subdivisions—the HIRELING, the BEGGAR, the THIEF, and the PROSTITUTE, which have no general existence in slave countries unless there have been a commencement of emancipation."

And these, the Richmond *Enquirer* declared, in 1860, were the doctrines of the whole Southern Democratic press. Hence, in their opinion, the only possible reform was that of reducing the workingman to slavery. Accordingly Mr. Ruffin (in his "*Political Economy of Slavery*," ) and Mr. Fitzhugh (in "*Cannibals All, or Who shall be Masters?*") elaborated what to them appeared very practical plans for the accomplishment of this philanthropic object. Mr. Fitzhugh says that a negro slave is worth about \$800, but a white slave, by reason of his harder working nature, would be worth \$1,000. Give, therefore, the capitalist owning \$1,000 one white slave, the capitalist owning \$10,000 ten white slaves, and the millionaire a thousand. He exclaims:

LIBERTY for the FEW; SLAVERY in every form for the MASSES.

## PART XII.

**The So-called Morrison Tariff of 1876—Prepared by the English Cobden Club for the Ruin of American Industry—Supported in House by the Democrats, but Beaten by the Republicans.**

Mr. Morrison, of Illinois, Democratic Chairman of Committee of Ways and Means, moved in the House in 1876, a



tariff bill which in the effect of its provisions, if it had passed, would have ruined our leading industries, have destroyed our business prosperity and caused widespread suffering and want among all ranks and classes of our people. A few extracts from the speech of Hon. Jay A. Hubbell, upon this bill, will show its origin and provisions and expose its purpose:

The so-called Morrison tariff, manufactured in New York city, by order of the Free Trade League, under the inspiration of the American members of the English Cobden Club, strikes directly at the policy of protection, and aims a death blow at many of our important industries, while none of them are allowed to escape its crippling influences.

#### Rates of Reduction of Duties.

On cotton, unbleached, from 5 cents to 2½ cents per square yard.  
On cotton, bleached, from 5½ cents to 3½ cents per square yard of the ordinary sizes and forms.  
On iron, rolled, one-half, bar iron being placed at one-half cent per pound.  
Pig iron reduced from \$7 to \$5 per ton, or about 30 per cent.; or in other word, on iron and steel from 30 to 50 per cent.  
On lead and manufactures of lead from 30 to 50 per cent.  
On copper in plates, bars, ingots and pigs the duties are reduced from 5 cents per pound to 2 cents. Copper ore transferred to the free list.  
On silk and silk goods—  
On goods paying 35 per cent. reduced to 25  
“ “ 40 “ “ 30  
“ “ 50 and 60 “ “ 40  
Wools, first and second class reduced about 50 per cent.  
Marble, in blocks and slabs, reduced from 50 to 30 cents per cubic foot.  
Pencils and pens, &c., &c., &c.

#### Analysis of the Morrison Bill.

The analysis of the Morrison tariff, under a comparison with the rates of duty in 1876, gives the following results:

Decrease of duty from the actual receipts of the fiscal year 1875.....	\$18,454,081.72
Add amount of duties not collected during eight months and three days under the provision is “less 10 per cent.”—	
Cotton goods.....	\$ 700,907.04
Iron and steel.....	3,591,465.69
Copper.....	3,190.16
Lead.....	545,887.23
Wool.....	2,863,551.40
	<hr/> 7,705,001.52
Increase of duty.....	26,159,083.24
Decrease of duty.....	<hr/> 20,038,580.85
	<hr/> 6,120,502.39

#### Taxing the Poor Man's Breakfast Table.

It will be observed that the increase of duty is not upon goods now paying duties, but mainly upon tea and coffee, which are now admitted free of duty, and ever ought to be, so long as they do not come into competition with home products of the same articles. The amount of duty proposed to be collected from those two items is \$19,216,701.14. So in future, if the proposed [Morrison] tariff goes into operation, the poor man's family will be taxed heavily for these two important articles of daily consumption.

#### Outside Tea and Coffee, Increased Duties Only \$821,879, while Decrease for the year Over \$26,000,000.

Aside from the tax proposed to be levied on tea and coffee the increased duties amount to only \$821,879.71, while the decrease for the year is over \$26,000,000. Practically, however, even if tea and coffee should not be taxed, there will be little or no decrease in the aggregate receipts. The duties from the increase of importations, now unusually large, will overcome the reductions proposed in the tariff, and in a very few years return a larger custom revenue than that now collected. The Morrison tariff is an invitation to foreign manufacturers to surfeit our markets with imported wares, and the opportunity will be promptly embraced. The extent of its evil tendencies can scarcely be measured and the country now appeals to the wisdom of this Congress to save the people from a practical realization of its fearful consequences.

### PART XIII.

#### Hurd's Resolutions in 1880 for the Restoration of the Free Trade Tariff of 1846.

**Tariff Duties a Tax upon the Consumer—Protection does Not Protect—It does Not Increase the Wages of Labor—It Builds up One Citizen at the Expense of Another—It Violates the Principles of Free Trade—It has Destroyed our Carrying Trade on the High Seas—It Promotes Smuggling—It Shuts Out the American Manufacturer from the Markets of the World—Down with all Protection to American Industry—Up with the Proslavery Free Trade Tariff of 1846.**

On December 6, 1880, in the House of Representatives, Mr. Hurd, of Ohio, from the Committee on Ways and Means, introduced the following joint resolution:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any tariff levied by the Congress should be regulated by the following principles:*

First. A tariff is a tax upon imported goods, which is ultimately paid by the consumer, as the importer always adds to the selling price the amount of duty paid; being a tax paid by the citizen, it ought, therefore, not to be imposed except to provide revenue for the Government, and only that tariff ought to be levied which will with the least burden to the people provide the necessary revenue.

Second. A tariff for protection, so called, does not in most cases protect the interest it pretends to foster; while at first it may bring large profits to those engaged in the manufacturing which is assumed to be protected, it soon, by these very profits, invites many persons into the business, from which result overproduction, overstocking of the market, low prices, reduction of the hours of labor, shutting down, at least temporarily, of the workshops, embarrassment to the proprietor, and, in many instances, final bankruptcy, in which the large profits made at first are swallowed up, and the large wages at first paid workmen, if saved up at all, are consumed in waiting for a business revival, which, if it does come, will inevitably be attended by the same consequences.

Third. A protective tariff does not increase the wages of workmen, as demonstrated by the following facts: First, in England since the policy of free trade has been adopted the wages of laborers have been higher than when the system of protection prevailed; second, in Germany, where there is a protective tariff, the wages are lower than in countries without tariff, or with a tariff for revenue only; and, third, the average wages of the American laborer since the adoption of the present tariff have for the ten years last past been less (allowing for the difference in the currency) than under a revenue tariff for the ten years preceding eighteen hundred and sixty.

Fourth. A protective tariff builds up one citizen at the expense of another, for every dollar of additional price the protection enables the manufacturer to charge must be paid by another citizen. Such a discrimination against one and in favor of another a government ought not to make. A protective tariff which protects unequally works injustice. A protective tariff which protects all equally is superfluous, for if all are equally protected they are in precisely the same situation as though they had received no protection at all.

Fifth. A protective tariff disturbs the operation of the primal law of trade which governs all exchanges by the supply and demand of the articles to be exchanged, and openly and shamelessly violates the principle that every man has a right, subject only to governmental necessities, to buy where he can buy the cheapest and sell where he can get the best price.

Sixth. The present protective tariff has driven the American carrying trade from the high seas, by enhancing the price of the materials which enter into the construction of vessels so that American ship-builders cannot compete with foreigners engaged in the same business.

Seventh. A protective tariff increases the possibilities of the crime of smuggling, which, with our extensive water frontier and weak Navy, it is impossible to prevent, and by the commission of which dishonest men are made rich by violating the law, and honest men are made poor by obeying it.

Eighth. A protective tariff shuts out the American manufacturer from the markets of the world. Mexico and South America are supplied with their manufactured goods by England. Our best interests demand that the protective barrier our legislation has erected shall be broken down, that American skill and enterprise may have an opportunity to compete with foreign manufactures everywhere. Our manufactures need more an increase of market, by which foreign capital can be brought into this country, than protective legislation, which takes money from one American pocket to put it into another.

Ninth. To the end that the present tariff shall become one for revenue only, the following changes should be made: First, on all dutiable articles producing little or no revenue to the government, the duty should be returned to a revenue basis, or they should be placed upon the free list; second, the duty upon tea and coffee should be restored, and to the extent that this duty produces revenue to the Government the duty should be removed from salt and clothing, and other articles indispensably necessary in domestic life.

**The Resolution a Stump Speech in favor of the Ruinous Free Trade Tariff of 1846—The duty on imported articles not a Tax on the Consumer—Protection by excluding the Foreign article and Stimulating Home Competition reduces price of Domestic Article—Figures and Facts in illustration of that—Like the wool Tariff Bill this Hurd Resolution proposed the Ruin of all our Domestic Industries in the**

### **Interest of the British Trader and Southern Brigadiers.**

This resolution, in its language and propositions, was manifestly intended as a stump speech in favor of the ruinous free trade tariff of 1846. But Mr. Hurd misstates the facts. His fundamental proposition is grossly false. The duty upon the imported article is not a tax upon the consumer. As a rule the duty is not added to the cost of manufacture, but by practically excluding the foreign article, and stimulating home competition, which is one of the effects of protection, the cost to the consumer of the domestic article has been greatly reduced. Again and again has that fact been demonstrated in the House, in Mr. Hurd's presence.

Indeed, Mr. Hurd's series of propositions is simply a revamping of the old and exploded pro-slavery free trade theories of the notorious Colleton Address. They consequently embrace nothing new. They simply restate a few of the many wretched fallacies in which the pro-slavery free traders, those old seditious and traitorous enemies of labor and the nation, delighted in discussing the tariff—like the one invented by the famous Hayne, that "a tariff on imports was a tax on exports," &c. They have no foundation upon which they can be maintained, but are opposed by our own experience and that of all nations—by the stern logic of facts which proclaim that their adoption everywhere has been uniformly attended by ruin alike of people and nation.

We will give a few illustrations from the speech of Mr. Duell, of New York, in the House, of April 13, 1872. Mr. Duell says:

Before the manufacture of window-glass was protected it cost the consumer \$12 a box. A heavy duty was laid upon it by the tariff of 1842, (which, according to the free-trade theory, ought largely to have increased its price,) when, behold, the price fell to \$3. Whose theory did this establish? According to the theory of free trade here was a result perfectly mysterious and unaccountable. On the principles of protection the thing was perfectly plain. As soon as the duty imposed secured a market to the American manufacturers of glass, they went to work with all their force, each seeking his own profit, and all free to make and sell it as they could, when the astonishing power of competition soon effected the great reduction in price.

In 1844 the duty on English common bar-iron was \$25 per ton or 68 per cent., and its price was then \$61.83 per ton. The price less the duty would leave \$36.63 as the cost of producing a ton of iron. In 1846 the duty was lowered to 30 per cent. and in 1857 to 24 per cent. According to the free-trade theory the result of this reduction of the tariff should have been to reduce the price of iron just to the extent of the decrease in duty. But the fact is quite different, as the following comparison will prove: In 1844, as we have seen, the duty on English bar-iron was \$25 a ton and the prime cost was \$36.83. In 1846 the duty was reduced to 30 per cent., or more than one-half, which was equal to a duty of \$10.42 per ton instead of \$25. The price of iron ought therefore to have gone down to \$26.41, or to



\$36.83 less the \$10 42 duty, if the free-traders are right in their theories. But instead of this the cost of production actually increased to \$54.80 per ton, an advance of \$17.97 per ton.

And so on in many other illustrations of these facts.—(See Mr. Duell's speech in *Cong. Record*, &c.)

Like the Wood free trade tariff bill of 1878, this Hurd joint resolution was introduced at the command of the English Cobden club and the Southern Brigadiers, and their purposes were very plain—to strike down the industries of the nation, and to impoverish all ranks and classes of our loyal people—all to open a market to the British trader, and to secure cheap products to their allies in war and peace, the Southern Brigadiers.

## PART XIV.

### Knit Goods—Duty on Woolen Goods.

**Amendment to Correct Error in Statute—All Ready-Made Clothing, of Whatever Material Composed, except Wool, Silk, and Linen, to be subject to a Duty of 35 Per Centum Ad Valorem—Statute and Report of Committee.**

On July 3, 1882, Mr. Kelley, of Pennsylvania, moved to suspend the rules and pass the following bill:

A bill to correct an error in section 2504 of the Revised Statutes of the United States.

*Be it enacted, &c.*, That the paragraph beginning with the words "clothing, ready-made, and wearing-apparel," under Schedule M of section 25 of the Revised Statutes of the United States, be, and the same is hereby, amended by the insertion of the word "wool" before the word "silk" in two places where it was omitted in the revision of the said statutes; so that the same shall read as follows:

"Clothing, ready-made, and wearing-apparel of every description, of whatever material composed, except wool, silk, and linen, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, not otherwise provided for, caps, gloves, leggins, mitts, socks, stockings, wove shirts and drawers, and all similar articles made on frames, of whatever material composed, except wool, silk, and linen, worn by men, women, or children, and not otherwise provided for, articles worn by men, women, or children, of whatever material composed, except wool, silk, and linen, made up, or made wholly or in part by hand, not otherwise provided for, 35 per cent. ad valorem."

The Committee of Ways and Means, through its chairman, Mr. Kelley, in reporting this bill to the House, on the 6th of June, used the following language:

The purpose of the first section of this bill is to correct an error made in revising the Statutes, which error is found in a paragraph near the bottom of page 474 of the Revised Statutes, edition of 1878. This paragraph is found in Schedule M, called sundries, of the tariff law.

Schedule L provides for all duties on wool and woolen goods, and is a re-enactment and embodiment of the statute of March 2, 1867, which repealed all former duties on wools and woolen goods, and imposed pound duties on wools, and corresponding pound duties on woolen goods; the object being to set off one pound duty against the other, and, in addition, 35 per cent. on the manufactured article. The revision on page 471 is the act of March 2, 1867, word for word, which imposed duties in lieu of all former duties on wools and woolen goods. This statute provides as follows:

"Flannels, blankets, hats of wool, knit goods, balmorals, woolen and worsted yarns, and all manufactures of every description composed wholly or in part of worsted, the hair of the alpaca, goat, or other like animals, except such as are composed in part of wool, not otherwise provided for, valued at not exceeding 40 cents per pound, 20 cents per pound; valued at above 40 cents per pound, and not exceeding 60 cents per pound, 30 cents per pound; valued at above 60 cents per pound, and not exceeding 80 cents per pound, 40 cents per pound; valued at above 80 cents per pound, 50 cents per pound; and, in addition thereto, upon all the above-named articles, 35 per cent. ad valorem."

The duties above prescribed were made to correspond with the value of the goods, and the higher-priced woolen goods were made to pay a duty of 50 cents per pound. These rates were collected prior to and since the revision of the statutes down to the decision of the United States Supreme Court in the case of *Vietor* and others against C. A. Arthur, collector of the port of New York, rendered about fifteen months ago.

The paragraph in which the error occurs is found in Schedule L of the tariff laws, and reads as follows:

"Clothing, ready-made, and wearing apparel of every description, of whatever material composed, except wool, silk, and linen, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, not otherwise provided for, caps, gloves, leggins, mitts, socks, stockings, wove shirts and drawers, and all similar articles made on frames, of whatever material composed, except silk and linen, worn by men, women, or children, and not otherwise provided for, articles worn by men, women, or children, of whatever material composed, except silk and linen, made up or made wholly or in part by hand, not otherwise provided for, 35 per cent. ad valorem."

It will be noticed that the word "wool" is found in the first exception of the above paragraph, but is omitted from the other two exceptions included in the same paragraph, and it is plain that the three exceptions were intended to exclude all articles of wearing apparel made of wool, silk, or linen from the rate of duty levied by the paragraph. The clause which causes the hardship on American manufactures of knit goods is found in the paragraph of Schedule M, above quoted, and reads as follows:

"Caps, gloves, leggins, mitts, socks, stockings, wove shirts and drawers, and all similar articles made on frames, of whatever material composed," &c.

There was no exception of wool, silk, or linen in the original paragraph, because the law had not yet been passed that excepted them; but by the act of June 30, 1864, a special provision was made for these articles on pages 208, 209, 210, volume 13, Statutes at Large. By the act of June 30, 1864, wool, silk, and linen goods were excepted, and this paragraph applied to cotton goods alone, and should have been placed in the revision in the cotton Schedule A. The revisers recognized the fact as to silk and linen, and began right with wool in the first exception, but neglected it in the second and third exceptions. The act of March 2, 1867, page 561, volume 14, Statute at Large, provides for all manufactures of woolen goods.

The Democracy resisted the passage

of the bill by every means within their power—by debate in hostility to its purpose, by nullifying amendments, and finally by their votes.

**The House passes the Bill—Yeas 134,  
Nays 48.**

YEAS.—Messrs. Aldrich, Anderson, *Atherton*, Barr, Bayne, Belford, Bingham, Bisbee, *Bliss*, Bowman, J. H. Brewer, Briggs, Browne, *Brumm*, Buck, Burrows, Julius C.; Butterworth, Campbell, Candier, Cannon, Carpenter, Caswell, Chace, *Converse*, Crapo, *Curtin*, Dawes, Deering, DeMotte, Dezendorf, Dingley, Dwight, *Ermentrout*, Errett, Farwell, Sewell S.; Fisher, Ford, *Frost*, Fulkerson, *Geddes*, George, *Gibson*, Hall, Hammond, J.; Harmer, Harris, Benjamin W.; *Harris*, Henry S.; Haskell, Hazleton, Henderson, Hepburn, Hill, Hiscok, *Hobitzell*, Horr, Hubbell, Hubbs, Humphrey, Jacobs, Jorgensen, Kasson, Kelley, Ketchum, *Klotz*, Lacey, *Ladd*, Lewis, Lord, Lynch, Mason, McCook, McKinley, *McLane*, Miles, Moore, Morey, *Mosgrove*, *Mitchler*, Neal, O'Neill, Orth, Page, Parker, Paul, Peele, Peerce, Pettibone, *Phelps*, Prescott, Ranney, Ray, Rice, John B.; Ritchie, Robeson, Robinson, George D.; Robinson, James S.; *Robinson*, William E.; Ross, Russell, Ryan, Scranton, Shallenberger, *Shelley*, Shultz, Smith, A. Herr; Smith, D. C.; Smith, J. H.; Spaulding, Spooner, Steele, Stone, *Talbot*, Taylor, Thompson, *Tillman*, Townsend, Amos; Tyler, Updegraff, J. T.; Updegraff, T.; Urner, Valentine, Van Horn, Wadsworth, Wait, Walker, West, White, Williams, *Willis*, Wilson, Wise, M. R.; Young.—134.

NAYS.—Messrs. Atkins, *Berry*, Blackburn, Blount, Buchanan, Buckner, *Carlisle*, Cassidy, Clements, Cobb, Colerick, Cook, Coz, Samuel S.; Cravens, Culberson, Davidson, Davis, Lowmides, H.; Dibrell, Dunnell, Forney, Gunter, Hewitt, G. W.; Hotman, Howe, Jones, George W.; Jones, James K.; Knott, Le Fevre, Manning, Martin, Matson, *McMillin*, Mills, Morrison, Oates, *Phister*, Reagan, Roscerans, Springer, Stockslager, Strait, Thompson, P. B. Jr.; Townsend, K. W.; Tucker, Turner, Henry G.; Turner, Oscar; Warner, Welborn, Willis.—48.

**The Senate passes the Bill—Yeas 36,  
Nays 15.**

YEAS.—Messrs. Aldrich, Allison, Anthony, Bayard, Blair, Brown, Cameron of Pennsylvania, Cameron of Wisconsin, Chilcott, Conger, Davis of Illinois, Davis of West Virginia, Dawes, Ferry, Gorman, Hale, Harrison, Hawley, Hoar, Ingalls, Jonas, Jones of Nevada, Logan, McMill, McMillan, MAHONE, Miller of California, Morrill, Pendleton, Platt, Rollins, Saunders, Sawyer, Sewell, Sherman, Windom.—36.

NAYS.—Messrs. Butler, Call, Cockrell, Coke, Farley, George, Hampton, Harris, Maxey, Morgan, Pugh, Sautsbury, Vest, Walker, Williams.—15.

## PART XV.

### Tariff Commission.

Commission to consist of 9 Members to be Appointed by President—Duty to investigate all questions relating to the Agricultural, Commercial, Mercantile, Manufacturing, Mining, and Industrial Interests of the United States, in connection with a Judicious Tariff, or a Revision of the Present Tariff, and Report to Congress on First Monday of 1882.

AN ACT to provide for the appointment of a commission to investigate the question of the tariff.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That a commission is hereby created to be called the "Tariff Commission," to consist of nine members.

SEC. 2. That the President of the United States shall, by and with the advice and consent of the Senate, appoint nine commissioners from civil life, one of whom, the first named, shall be the president of the commission. The commissioners shall receive as compensation for their services each at the rate of ten dollars per day when engaged in active duty, and actual traveling and other necessary expenses. The commission shall have power to employ a stenographer and a messenger; and the foregoing compensation and expenses to be audited and paid by the Secretary of the Treasury out of any moneys in the Treasury not otherwise appropriated.

SEC. 3. That it shall be the duty of said commission to take into consideration and to thoroughly investigate all the various questions relating to the agricultural, commercial, mercantile, manufacturing, mining, and industrial interests of the United States, so far as the same may be necessary to the establishment of a judicious tariff, or a revision of the existing tariff, upon a scale of justice to all interests; and for the purpose of fully examining the matters which may come before it, said commission, in the prosecution of its inquiries, is empowered to visit such different portions and sections of the country as it may deem advisable.

SEC. 4. That the commission shall make to Congress final report of the results of its investigation, and the testimony taken in the course of the same, not later than the first Monday of December, eighteen hundred and eighty-two; and it shall cause the testimony taken to be printed from time to time and distributed to members of Congress by the Public Printer, and shall also cause to be printed for the use of Congress two thousand copies of its final report, together with the testimony.

The passage of this bill was resisted at every step by the Democracy, by multiplying amendments, by debate in which they denounced the principle and practice of protection, and by their votes at every stage of its progress.

**The House Passes the Bill May 6, 1882—  
Yeas 151, Nays 83.**

YEAS.—Messrs. Aldrich, Anderson, *Atherton*, Burrough, Barr, Bayne, Bingham, *Bliss*, Bowman, Brewer, Briggs, Browne, *Brumm*, Buck, Burrows, J. C.; Burrows, Jos. H.; Butterworth, Calkins, Camp, Campbell, Candier, Cannon, Carpenter, Chace, Chapman, *Clardy*, Crapo, Cullen, *Curtin*, Darrall, Dawes, Deering, DeMotte, Dezendorf, Dingley, Dwight, *Ellis*, *Ermentrout*, Errett, Farwell, C. B.; Ford, George, *Gibson*, Godshalk, Grout, Guenther, Hall, Harmer, *Harris*, H. S.; Haseltine, Haskell, Hawk, Hazleton, Heilman, Henderson, Hepburn, *Hewitt*, G. W.; Hill, Hiscok, *Hobitzell*, *Hoge*, Horr, Hubbell, Hubbs, Humphrey, Jacobs, Jones, P.; Jorgensen, Joyce, Kasson, Kelly, *Kenna*, Ketcham, *Klotz*, Lacey, Lewis, Lord, Lynch, Marsh, McClure, McKinley, *McLane*, Miller, S. K.; Moore, *Morse*, Morey, *Mosgrove*, *Murch*, *Mitchler*, Neal, Norcross, O'Neill, Pacheco, Page, Payson, Peele, Pierce, Pound, Prescott, *Randall*, Ranney, Ray, Reed, Rice, T. M.; Rice, W. W.; Rich, Ritchie, Robinson, G. D.; Robinson, J. S.; *Ross*, Ryan, Russell, *Scoville*, Scranton, Shallenberger, *Shelley*, Sherwin, Shultz, Skinner, Smith, A. Herr; Smith, J. H.; *Speer*, Spooner, Steele, Stone, E. F.; Strait, *Talbot*, Taylor, Thomas, Thompson, W. G.; Townsend, A.; Tyler, Updegraff, J. T.; *Upson*, Valentine, Van Horn, Van Vorhis, Wadsworth, Wait, Walker, Ward, Watson, Webber, White, J. D.; Williams, C. G.; Willits, Wilson, *Wise*, G. D.; *Wise*, M. R.; Wood, W.; Young, T. L.—151.

NAYS.—Messrs. Aiken, Atkins, Armfield, Beach, Belford, Belmont, Beltzhoover, Berry, Bland, Blount,



*Bragg, Buchanan, Buckner, Caldwell, Carlisle, Clark, Clements, J. C. Cobb, Colerick, Cook, Cox, S. S. Cox, W. R.; Cravens Culberson, Cutts, Davidson, Davis, L. H.; Deuster, Dibble, Dowd, Dunn, Dunnell, Evans, Farwell, S. S.; Finley, Forney, Garrison, Gunter, Hammond, N. J.; Hardenbergh, Hatch, Herbert, Herndon, Hewitt, Abram S.; House, Jones, J. K.; King, Knott, Latham, Leedom, LeFevre, Manning, Matson, McCoid, McKenzie, McMullin, Mills, Money, Morrison, Moulton, Muldrow, Oates, Orth, Phister, Reagan, Seals, Shackelford, Singleton, Otho R.; Springer, Stockslager, Thompson, P. B. Jr.; Tillman, Townsend, R. W.; Tucker, Turner (Oscar): Updegraff, T.; Vance, Warner, R.; Washburn, Wellborn, Whitehorn, Williams, T.; Willis—83.*

**The Senate Passes the Bill May 9, 1882—  
Yeas 35, Nays 19.**

**YEAS**—Messrs. Aldrich, Allison, Anthony, Blair, Cameron of Wisconsin, Corgan, Davis of West Virginia, Dawes, Frye, Grover, Groome, Hale, Hampton, Hawley, Hill of Colorado, Hoar, Johnston, Jones of Nevada, Kellogg, Lapham, McMill, McMillan, McPherson, MAHONEY, Miller of California, Miller of New York, Mitchell, Morrill, Platt, Rollins, Sawyer, Sewell, Sherman, Windom—35.

**NAYS**—Messrs. Call, Cockrell, Coke, DAVIS of Illinois, Farley, George, Grover, Harris, Ingalls, Jackson, Jonas, Macey, Morgan, Pugh, Slater, Vance, Van Wyck, Vest, Walker—19.

## PART XVI.

### **Mr. Mills' (of La.) Free Trade Amendment to Tariff Commission Bill—Attempts to Tack Free Trade Tariff of 1846 to Bill.**

On May 6, while the Tariff Commission Bill was pending in the House, Mr. Mills of Louisiana moved the following amendment to the bill:

1. That no more money should be collected than is necessary for the wants of the Government economically administered.
2. That no duty be imposed on any article above the lowest rate that will yield the largest amount of revenue.
3. That below such rate discrimination may be made descending in the scale of duties, or for imperative reasons the article may be placed on the list of those free from all duty.
4. That the maximum revenue duty should be imposed on luxuries.
5. That all specific duties should be abolished and ad valorem duties substituted in their place, care being taken to guard against fraudulent invoices and undervaluation, and to assess the duty upon the actual market value.
6. That the duty should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.

This amendment embraces practically the principles and provisions of the Free Trade Tariff of 1846, and for that 75 Democrats voted as follows:

**House refuses to adopt Amendment—  
Yeas 75, Nays 152.**

**YEAS**—Messrs. Aiken, Armfield, Atkins, Beach, Belmont, Berry, Bland, Blount, Bragg, Buchanan,

*Buckner, Caldwell, Carlisle, Chapman, J. B. Clark, J. C. Clements, Cobb, Colerick, Cook, S. S. Cox, W. R. Cox, Covington, Cravens, Culberson, Davidson, L. H. Davis, Deuster, Dibble, Dowd, Dunn, Evans, Finley, Forney, Garrison, Gunter, N. J. Hammond, Hatch, Herbert, Herndon, Hoblitzell, House, J. K. Jones, Knott, Latham, Leedom, LeFevre, Manning, Matson, McKenzie, McKane, McMullin, Mills, Money, Morrison, Moulton, Muldrow, MURCH, Oates, Phister, Reagan, Seales, Shackelford, O. R. Singleton, Stockslager, Talbot, Tillman, R. W. Townsend, Tucker, O. Turner, Vance, R. Warner, Wellborn, Whitehorn, T. Williams, Willis—75.*

**NAYS**—Messrs. W. Aldrich, Barbour, Barr, Bayne, Belford, Bingham, Bliss, Bowman, J. H. Brewer, Briggs, Browne, BRUMM, Buck, J. H. BURROWS, J. C. Burrows, Butt-rworth, Calkins, Cannon, Campbell, Candler, Cannon, Carpenter, Clardy, Crapo, Cullen, Curtin, Cutts, Darrall, Dawes, Deering, DeMott, Dezendorf, Dingley, Dunnell, Dwight, Ellis, Ernstrout, Errett, C. B. Farwell, S. S. Farwell, Ford, George, Gibson, Godshalk, Grout, Guenther, Hall, Hardenbergh, Harmer, H. S. Harris, I. S. HASELTINE, Haskell, Hawk, G. C. Hazelton, Heilman, Henderson, Hepburn, J. Hill, Hisecock, Hoge, Horr, Hubbell, Hubbs, Humphrey, Jacobs, P. Jones, Jorgenson, Joyce, Kasson, Kelley, Kenna, Ketcham, Klotz, Lacey, Lewis, Lindsey, Lord, Lynch, Marsh, McClure, McCoid, McKinley, S. H. Miller, Moore, Morey, Morse, MOSGROVE, Mutchler, Neal, Norcross, O'Neill, Orth, Pacheco, Page, Payson, Peele, Pierce, Pound, Prescott, Randall, Ranney, Ray, Reed, T. M. Rice, W. W. Rice, Rich, Ritchie, G. D. Robinson, J. S. Robinson, Ross, W. A. Russell, T. Ryan, Scoville, Scranton, Shallenberger, Shelley, Sherwin, Shultz, Skinner, A. H. Smith, J. H. Smith, Speer, Spooner, G. W. Steele, E. F. Stone, Straitt, Taylor, Thomas W. G. Thompson, A. Town-end, J. T. Updegraff, T. Updegraff, Upson, Urner, Valentine, Van Aernam, Van Horn, Van Voorhis, Wadsworth, Wait, Walker, Ward, Washburn, Watson, Webber, C. G. Williams, Willis, Wilson, G. D. Wise, M. R. Wise, W. A. Wood, T. L. Young—152.

## PART XVII.

### **Protection Increases the Sales and Profits of Agriculture.**

**When Manufactures flourish, Agriculture is Prosperous—Montgredien's Fallacies—Products of the Farm Protected by present Tariff—How Agriculture is Benefited by Protection—The Increased Ability of the Consumer to Buy works a Harvest of profits for the Farmers, &c.**

Hon. J. T. Updegraff, of Ohio, in the House of Representatives, in his Speech of April 12 and 13, ably shows the benefits to the farmer of protection. He says:

Mr. Chairman, I have been a farmer all my life and every year for thirty years have sold the products of the farm. When manufacturers were fully protected and flourishing I have never seen the time that judicious agriculture was not prosperous; and when manufacturing under "revenue" tariff was crippled or broken down I never saw agriculture flourishing. Is there any gentleman in this House who has? Sometimes a certain product may be in demand temporarily, but the uniform rule is as I have stated it. If any member has seen it otherwise, let him declare it. [Applause.] No; the real and permanent industries of a people are al-

ways in harmony and interdependence with each other. Each member of a community profits by an increase in the productive power of the whole body. That advantage is increased and multiplied by every increase in the *diversity of employments*. The farming interest above every other is benefitted by this diversity which saves the necessity of carrying bulky products to a distant market; for every intelligent farmer knows that the man who is compelled to go to market must, in some way, pay the cost of going, and that the very first of all the charges paid, by labor or by land, is that for transportation.

But Mr. Montgredien says, in his Cobden Club pamphlet, "*the farmer neither receives nor seeks legislative protection.*" False again. He does both. The farmer has carefully and intelligently studied this question, not merely by theories of bookmen, but in the school of practical affairs. He asks, and has received fair protection for his industries. It is just that he should, for many agricultural products are produced in other countries by pauper labor, against which it would be a monstrous outrage that the American farmer should be forced to compete. Surely this English teacher could not be ignorant of the fact that protective duties are imposed on all the leading agricultural products where protection is practicable. American farmers know that these duties were laid to protect these articles in the home market, which consumes nearly 92 per cent. of all the products of the farm.

It is not necessary to give a full catalogue of all these products and the duty on each, but I mention enough, taken from our tariff list, to show how carefully the interests of the farmer have been considered. The duty on Indian corn is 10 cents a bushel; on wheat, 20 cents a bushel; oats, 10 cents a bushel; barley, 15 cents a bushel; rye, 15 cents a bushel; peas and beans, 10 to 20 per cent.; potatoes, 15 cents a bushel; butter, 4 cents a pound; cheese, 4 cents a pound; poultry, 10 per cent.; sugar, 2 to 5 cents per pound; leaf-tobacco, 35 cents a pound; manufactured tobacco, 50 cents a pound; beef and pork, 1 cent a pound; mutton, 10 cents a pound; hay, 20 per cent.; on all domestic animals except for breeding purposes, 20 per cent., but those for breeding purposes admitted free in the interest of farming and stock-raising: wool, from 10 to 12 cents a pound, with from 10 to 12 per cent. added.

Not only is his interest thus protected but the farmer knows well that the protection to the manufacturer benefits him still more. He knows that when the great manufacturing industries of various kinds are active and flourishing that there is always a demand for all the variety of his products in the home market. He understands that the product or price of the great staples of wheat and corn a part of which may be exported, are no measure of the benefit to him of a home market which consumes at ready prices the still more abundant and profitable products of the farm which cannot reach a distant or foreign market without great loss and many of them not at all. The vicinity of a manufacturing town or of a manufacturing establishment, whether it be a rolling-mill, furnace, or factory, not only at once raises the price of every foot of his land, but gives him a daily market for the perishable and small products of the farm, such as fruit, dairy products, vegetables, eggs, poultry, veal, mutton, hay, straw, fodder, berries, cord-wood, and a multitude of minor articles, thousands and millions of dollars' worth of which no absolute record can ever find its place in a national balance-sheet, and these are the most profitable of the products of the farm.

**Henry C. Carey, in his Harmony of Interests, on the Benefit of Protection to Agriculture—The Home Market, &c.**

Mr. Henry C. Carey, an able writer on

political economy, in his "*Harmony of Interests, Agricultural, Manufacturing, and Commercial*," (1872), thus ably proves the immense advantages and profits of protection to the farmer:

Who, now, were the losers by the greatly increased difficulty of obtaining this great instrument [iron] of civilization? To answer this question, we must first inquire who are the great consumers of iron? The farmers and planters constitute three-fourths of the population of the nation, and if the loss were equally distributed, that portion of the loss would fall upon them; but we shall find, upon inquiry that it is upon them, the producers of all we consume, that the whole of it must fall.

The farmer needs iron for his spades and ploughs, his shovels and his dung-forks, his trace-chains and his horse-shoes, and his wagon-wheels; for his house, his barn, and his stable. He needs them, too, for his timber. If iron be abundant, saws are readily obtained, and the saw-miller takes his place by his side, and he has his timber converted into plank at the cost of less labour than was before required to haul the logs to the distant saw-mill. He obtains the use of mill-saws cheap. If iron be abundant the grist-mill comes to his neighborhood, and now he has his grain converted into flour, giving for the work less grain than was before consumed by the horses and men employed in carrying it to the distant mill. If iron be abundant, spades and picks are readily obtained, and the roads are mended and he passes more readily to the distant market. If iron increase in abundance, the railroad enables him to pass with increased facility, himself, his turnips and potatoes, to market from which before he was entirely shut out by cost of transportation, except as regards articles of small bulk and much value—wheat and cotton. If iron be abundant, the woollen-mill comes, and his wool is converted on the spot by men who eat on the ground his cabbage and his veal, and drink his milk, and perform the work of conversion in return for services and things that would have been lost had they not been thus consumed. At each step he gets the use of iron cheaper—that is, at less cost of labour. If iron be abundant the cotton-mill now comes, and the iron road now brings the cotton, and his sons and his daughters obtain the use of iron spindles and iron looms by which they are enabled to clothe themselves at one-twentieth of the cost of labour that had been necessary but twenty years before. Instead of a yard of cotton received in return for two bushels of corn, one bushel of corn pays for six yards of cloth—and now it is that the farmer grows rich.

A careful examination of society will satisfy the enquirer that all the people engaged in the work of transportation, conversion, and exchange, are but the agents of the producers, and live out of the commodities they produce, and that the producers grow rich or remain poor precisely as they are required to employ less or more persons in the making of their exchanges. The farmer who is compelled to resort to the distant mill employs many persons, horses and wagons, in the work of converting his grain into flour, and his land is of small value. Bring the mill close to him, and a single horse and cart, occasionally employed, will do the work.

The farmer who employs the people of England to produce his iron, is obliged to have the services of numerous persons, of ships and wagons, and horses, to aid in the work. Bring the furnace to his side, and let his neighbour get out his iron, and he and his sons do much of the work themselves, furnishing timber, ore, and the use of horses, wagons, &c., when not needed on the farm.

The man of Tennessee sends to market 300 bushels of corn, for which he receives in return one ton of iron, the money-cost of which is \$60, but the labor-cost of which is the cultivation of ten acres of land. If he could follow his corn, he would find that the men who get out his iron, re-



ceive but 30 or 40 bushels, and that the remaining 260 or 270 are swallowed up by the numerous transporters and exchangers that stand between himself and the men whom he thus employs. If, now, he could bring those men to his side, giving them double wages, say sixty bushels of corn, he would be a gainer to the extent of 240 bushels. While he has to give 300 bushels, his iron is dear, and he can use little. When he obtains it for 60 bushels it is cheap, and he uses much. His production increases, and his ability to use iron increases with it, and the demand for workers in iron increases, and all obtain food more readily, the consequence of which is that they have more to spare for clothing, and for other comforts or the luxuries of life. [pp. 80-81.]

## PART XVIII.

### Protection Greatly Increases the Wages of Labor.

**European and Native Authorities Showing that the Wages under Protection are Higher in the United States than in Europe in all Branches of Industry—The Figures and Facts—Refutation of Hurd's and the British Free-Traders' Silly Dogma that Protection does Not Increase the Wages of Labor, &c.**

Hon. Wm. P. Frye, of Maine, in his speech in the United States Senate, of February 10, 1882, in reply to Southern Senators who reiterated the silly old proslavery dogma that protection does not increase the wages of labor, disposes of it in the following figures and facts:

But the Senator from Texas denies that a tariff for protection secures for the laborer higher wages than does "a purely revenue tariff." A most amazing declaration. In my hand is a book entitled "The State of Labor in Europe," carefully prepared and printed under the authority of Congress, from "reports of U. S. Consuls," and a work entitled "Labor in Europe and America," by Dr. Young, late chief of the United States Statistical Bureau, and I aver that in the cotton and woollen mills of England the average wages is one-half below the wages in the cotton and woollen mills of America.

But I do not rely upon these authorities alone. H. Conant, treasurer of the Conant Thread Company of Pawtucket, R. I., and also the owner of thread mills in Great Britain, writes me under date of January 19, 1882, that the "cost of building and equipping a cotton factory in New England as compared with the cost of a similar structure in Lancashire or Scotland is just about double." Mr. Wyckoff, secretary of the Silk Association of America, declares that "a silk factory built in Coventry or Macclesfield of the same size and floor capacity as one here would cost about 60 to 65 per cent. as much." William Clark, superintendent Clark Thread Company of Newark, N. J., a company owning mills both here and in Great Britain, declares that a factory, including buildings and machinery, erected in Newark "will cost 80 to 85 per cent. more than in Paisley." James Coats, of J. & P. Coats, the largest thread manufacturers in the world, and owning and running mills here and abroad, declares that a factory would cost "fully twice as much to build here as in Scotland."

I have here the Deutsche Industrie Zeitung, of June, 1881, the organ of the Chamber of Commerce and Industry for Chemistry in Dresden,

and regarded, I believe, as the highest authority in Europe. It shows, that the cost-per spindle of constructing mills in England is \$5.79 to \$7.78; in France, \$8.69 to \$9.65; in Germany, \$8.69 to \$9.65; while in the United States the cost is from \$12 to \$18.

Mr. President, what makes this difference in cost? It is because 90 per cent. of the cost is labor, and labor in Great Britain is paid only one-half as much as labor here.

But, Mr. President, as to the wages of these operatives. The Clark Thread Mills of Newark, N. J., under date of January 25, 1882, furnish from their pay-rolls in Scotland and here the following comparative table of wages:

Employés.	Paisley, Scotland.	Newark, N. J.
Girls:	Per Week.	Per Week.
Spoolers.....	\$3 50 to \$3 75	\$7 00 to \$9 00
Reelers.....	3 50 to 3 75	7 50 to 8 00
Cop-winders.....	3 50 to 3 75	7 50 to 8 50
Twisters.....	2 25 to 2 50	5 00 to 6 00
Strippers.....	1 50 to 1 75	3 00 to 3 00
Bobbins-cleaners.....	1 25 to —	2 50 to 2 50
Men:		
Capenters.....	7 00 to 7 50	16 50 to 18 00
Machinists.....	7 00 to 7 50	16 50 to 18 00
Dyers.....	7 00 to 7 00	15 00 to 15 00
Bleachers.....	6 50 to 6 50	13 50 to 13 50
Firemen.....	6 00 to 6 00	12 00 to 13 00

Mr. Coats, under date of Pawtucket, R. I. February 2, 1882, furnishes me the following comparative rates of wages paid in their factories here and in Scotland:

Operatives.	United States, Wages per week.	Scotland, Wages per week.	Difference.	
			Amount.	Per cent.
Spoolers.....	\$6 59	\$3 40	\$3 19	94.
Twister-tenders.....	5 69	2 55	3 14	123.
Doffers.....	4 37	1 94	2 43	125.
Cleaners.....	2 63	1 52	1 11	73.
Reelers.....	7 88	3 52	4 36	124
Winders.....	7 25	2 80	4 45	159
Wrappers and Boxers.....	7 96	3 04	4 92	162
Dyers.....	9 84	6 32	3 52	56.
Bleachers, men.....	11 81	5 10	6 71	132
Bleachers, women.....	5 25	2 43	2 82	116.
Mechanics.....	13 13	7 94	5 19	65
Firemen.....	10 66	5 83	4 83	83.

Mr. Coats adds:

"Our manufacture is a specialty, requiring the employment of good, steady hands, it being impossible for us to maintain the quality of our goods with a floating class of help. The general average of female help in Scotland, you will observe, is under \$3 a week, whereas here it averages \$7.50 per week. (Remember the difference in the time run between the two countries is deducted from the rates paid here to make the comparison more correct.) The difference in male help is not so great, but the great bulk of

those we employ are females. We are obliged to pay higher wages, as we have to employ help corresponding to the best class engaged in weaving and other highly paid departments of labor. Unless we do so we find our help unwilling to remain with us steadily, subject to the strict discipline necessary to produce our quality of goods. These conditions apply to Scotland as well as here, where our experience proves the help to be quite as efficient and able to attend to as many machines or spindles.

I deduct from the wages paid here an amount corresponding to the difference of time run dur-

ing the week in the two countries."

These statements are from business men, owners of mills here and in Europe, who know where of they affirm. They are the indisputable practical facts of their business record. They show conclusively that in Europe the working-men and working-women do not receive *half as much pay as do ours*.

The following statement, showing the weekly rates in the several countries, computed from the consular reports, and compared with rates prevailing in the United States, show as great a difference in all other branches of industry :

Occupations.	France.	Germany.	Italy.	England.	United States.
Bricklayers.....	\$4 00	\$3 60	\$3 45	\$8 12	\$12 00 to \$15 00
Carpenters and joiners.....	5 42	4 00	4 18	8 25	9 00 to 12 00
Gas-fitters.....	.....	3 65	3 95	7 25	10 00 to 14 00
Masons.....	5 00	4 30	4 60	8 16	12 00 to 18 00
Painters.....	4 90	3 92	4 60	7 25	10 00 to 16 00
Plasterers.....	.....	3 80	4 35	8 10	10 00 to 15 00
Plumbers.....	5 50	3 60	3 90	7 75	12 00 to 18 00
Slaters.....	.....	4 00	2 90	7 90	10 00 to 15 00
General Trades:					
Bakers.....	5 55	3 50	3 90	6 50	5 00 to 8 00
Blacksmiths.....	5 45	3 55	3 94	8 12	10 00 to 14 00
Book-binders.....	4 85	3 82	3 90	7 83	12 00 to 18 00
Brass-founders.....	.....	3 20	5 49	7 40	10 00 to 14 00
Butchers.....	5 42	3 85	4 20	7 23	8 00 to 12 09
Cabinet-makers.....	6 00	3 97	4 95	7 70	9 00 to 13 00
Coopers.....	7 00	3 30	4 35	7 30	12 00 to 16 00
Coppersmiths.....	.....	3 30	3 90	7 40	12 00 to 16 00
Cutlers.....	4 63	4 00	3 90	8 00	10 00 to 13 00
Engravers.....	.....	4 00	4 00	9 72	15 00 to 25 00
Horseshoers.....	5 40	3 25	3 50	7 20	12 00 to 18 00
Millwrights.....	.....	3 30	4 95	7 50	10 00 to 15 00

While the cost of the necessities of life is, on the average, from twenty to forty per cent. higher in Europe than in America.

And yet the Senator from Texas declares they are paid alike.

**Average Weekly Wage in Massachusetts—1860, 1872, 1878, 1881, from the Report on the Statistics of Labor for Massachusetts for 1882.**

Occupations.	Average weekly wage: standard, gold.				Increase for 1881.*
	1860.	1872.	1878.	1881.	
Agriculture:					
Laborers, per month, with board.....	\$13 63	\$23 09	\$15 72	\$18 00	+\$2 28
Blacksmithing:					
Blacksmiths.....	9 30	16 44	13 75	16 38	+2 63
Boots and shoes:					
Cutters.....	12 00	14 81	11 05	14 91	+3 86
Bottomers.....	10 50	16 00	10 71	11 71	+1 00
Crimpers.....	10 50	.....	10 00	11 88	+1 88
Finishers.....	14 50	16 00	11 75	12 18	+ 43
Shoemakers.....	10 33	14 66	8 00	12 21	+4 21
Machines and machinery:					
Pattern-makers.....	11 50	17 60	15 24	18 10	+2 86
Iron-molders.....	9 50	14 67	12 30	16 40	+4 10
Brass-molders.....	10 00	14 67	13 25	15 75	+2 50
Blacksmiths.....	9 15	16 00	12 15	15 75	+3 60
Blacksmith's helpers.....	6 50	10 20	7 70	10 29	+2 59
Machinists.....	9 64	14 40	13 05	17 09	+4 04
Cleaners and chippers.....	6 00	.....	7 50	8 64	+1 14
Cuckers.....	6 75	.....	9 75	11 23	+1 58
Fitters.....	8 83	14 40	10 66	12 82	+2 16
Setters-up.....	10 01	12 80	12 00	13 88	+1 38
Rivet-heaters, boys.....	4 00	.....	5 00	5 64	+ 64
Riveters.....	9 50	14 67	12 00	13 05	+1 05
Wood-workers.....	9 16	.....	10 39	14 60	+4 21
Painters.....	6 00	.....	8 01	12 23	+4 23
Laborers.....	6 01	8 53	7 27	9 15	+1 88
Watchmen.....	7 00	.....	9 00	12 21	+3 21
Teamsters.....	7 50	.....	10 00	11 80	+1 80
Metals and Metallic goods:					
Hammersmen.....	.....	.....	12 00	18 00	+6 00
Heaters.....	.....	21 33	23 40	27 77	+4 37
Rollers.....	.....	10 67	13 80	16 40	+2 60
Puddlers.....	.....	24 00	18 00	20 91	+2 91
Shinglers.....	.....	24 00	19 50	22 94	+3 44
Finishers.....	.....	.....	27 00	28 87	+1 87

\*As compared with 1878.



## Relative Wages of Workmen in Europe and United States.

Statement showing the weekly rates of wages in the several countries, compiled from the consular reports, and compared with rates prevailing in the United States.

Occupation.	Belgium.	Denmark.	France.	Germany.	Italy.	Spain.	United Kingdom.			United States.
							England.	Ireland.	Scotland.	
<b>House-building trades.</b>										
Bricklayers.....	\$6 00	.....	\$4 00	\$3 60	\$3 45	\$5 12	\$3 12	\$7 68	\$9 63	\$12 00 to \$15 00
Carpenters and joiners.....	5 40	.....	5 42	4 00	4 18	4 88	8 25	7 83	8 12	9 00 to 12 00
Gas-fitters.....	6 00	.....	.....	3 65	3 95	.....	7 25	7 05	8 40	10 00 to 12 00
Masons.....	6 00	4 45	5 00	4 30	4 00	4 80	8 16	7 83	8 28	12 00 to 14 00
Painters.....	4 20	4 15	4 50	3 92	4 60	.....	7 25	7 05	8 16	10 00 to 16 00
Plasterers.....	5 40	.....	.....	3 80	4 35	7 20	8 10	7 08	10 13	10 00 to 15 00
Plumbers.....	6 00	.....	5 50	3 60	3 80	.....	7 75	8 46	7 13	12 00 to 18 00
Slaters.....	.....	.....	.....	4 00	3 30	.....	7 30	.....	8 30	10 00 to 15 00
<b>General trades:</b>										
Bakers.....	4 40	4 25	5 55	3 50	3 90	5 40	6 50	.....	6 60	5 00 to 8 00
Blacksmiths.....	4 40	3 90	5 45	3 55	3 94	4 65	8 12	.....	7 04	10 00 to 14 00
Book-binders.....	.....	3 72	4 85	3 82	3 90	3 60	7 83	.....	6 50	12 00 to 18 00
Brass-founders.....	.....	4 20	.....	3 20	5 43	.....	7 40	.....	6 90	10 00 to 14 00
Butchers.....	4 50	4 50	5 42	3 85	4 20	.....	7 23	.....	4 75	8 00 to 12 00
Cabinet makers.....	4 80	.....	6 00	3 97	3 95	4 20	7 70	.....	8 48	9 00 to 13 00
Coopers.....	.....	4 10	7 00	3 30	4 35	4 95	7 30	.....	6 10	12 00 to 16 00
Coppersmiths.....	3 85	.....	.....	3 30	3 90	.....	7 40	.....	7 10	12 00 to 16 00
Cutlers.....	.....	3 85	4 63	4 00	3 90	.....	8 00	.....	8 25	10 00 to 13 00
Engravers.....	.....	3 85	5 40	4 00	4 00	.....	9 72	.....	8 75	13 00 to 25 00
Horseshoers.....	.....	4 00	.....	3 25	3 50	.....	7 20	.....	7 00	12 00 to 18 00
Millwrights.....	.....	4 62	4 70	3 30	4 95	.....	7 50	.....	7 50	10 00 to 15 00
Printers.....	.....	3 85	5 00	4 80	3 90	.....	7 75	.....	7 52	8 00 to 18 00
Saddle and harness makers.....	4 80	.....	.....	3 60	3 90	.....	6 80	.....	6 15	12 00 to 15 00
Sail-makers.....	.....	4 85	.....	3 30	3 30	.....	7 30	.....	6 33	12 00 to 18 00
Shoemakers.....	.....	3 80	4 75	3 12	4 82	3 99	7 35	.....	7 35	12 00 to 18 00
Tailors.....	.....	4 10	5 10	3 58	4 30	3 90	7 30	.....	7 00	10 00 to 18 00
Thsmiths.....	4 80	3 90	4 40	3 65	3 60	3 90	7 30	.....	6 00	10 00 to 14 00
Laborers, porters, &c.,.....	3 00	.....	.....	2 92	2 60	3 00	5 00	.....	4 50	6 00 to 9 00
<b>Railway employees:</b>										
Engineers, passenger trains.....	.....	11 33	.....	8 35	9 50	.....	9 12	9 00	8 70	.....
Firemen, passenger trains.....	.....	6 25	.....	3 30	4 50	.....	6 00	4 50	4 96	.....
Brakemen, passenger trains.....	.....	3 60	.....	3 22	.....	.....	5 50	4 00	4 69	.....
Signal-men.....	.....	5 85	.....	3 52	4 00	.....	5 60	5 00	5 12	.....
Switch-men.....	.....	5 50	.....	3 41	4 00	.....	5 60	5 00	5 19	.....
Porters.....	.....	5 00	.....	2 60	3 40	.....	4 50	4 00	4 44	.....
Laborers.....	.....	3 35	.....	3 10	3 30	.....	4 50	4 00	4 27	.....

# Prices of Food in European Countries and in United States.

Statement showing the retail prices of the necessities of life in the several countries, compiled from consular reports, and compared with prices in New York.

Articles.	Belgium.	France.	Germany.	Italy.	Spain.	Switzerland.	United Kingdom.			New York.
							England.	Ireland.	Scotland.	
Bread.....per pound..	Cents. 4 to 5	Cents. 3 4	Cents. 7 3 to 5½	Cents. 6 10	Cents. 6½ to 7½	Cents. 4 7	Cents. 3½ to 4½ 3½ to 4½	Cents. 4 4	Cents. 4 4	Cents. 4 to 4½ 3 to 4
Beef.....per pound..	20	22	22	20	18	30	22	22	22	12 to 16
Roasting.....do.	16	16	14	12	18	18	15	15	15	6 to 8
Soup.....do.	20	20	20	20	18	30	20½	20½	20½	14 to 16
Rump steak.....do.	16	16	13	12	12	18	18	18	20	8 to 12
Corned.....do.	16	16	13	12	12	18	18	18	20	8 to 12
Veal.....per pound..	16	16	14	15	15	18	18	18	20	8 to 10
Fore quarter.....do.	18	20	14	20	25	18	22½	22½	25	10 to 12
Hind quarter.....do.	20	22	14	22	25	20	27	27	30	10 to 12
Cutlets.....do.	16	16	14½	15	14	18	17	17	16	9 to 10
Mutton.....per pound..	20	20	18	18	18	18	25	25	24	12 to 14
Hind quarter.....do.	16	16	14½	15	14	18	17	17	16	9 to 10
Chops.....do.	20	20	18	18	18	18	25	25	24	14 to 16
Pork.....per pound..	16	14	17	13	24	18	16	10 to 13	13 to 16	8 to 10
Fresh.....do.	16	14	17	13	24	18	16	10 to 13	13 to 16	8 to 10
Salted.....do.	16	14	17	13	24	18	16	10 to 13	13 to 16	8 to 10
Bacon.....do.	18	20	20	22	16	20	12 to 16	12 to 16	25	8 to 10
Ham.....do.	25	25	22	23	45	28	13 to 23	13 to 23	25	8 to 10
Shoulder.....do.	20	18	20	20	20	12	12	12	12	8 to 10
Sausage.....do.	20	16	19	20	21	18	18	18	12	8 to 10
Land.....do.	20	20	21	22	21	18	15 to 18	15 to 18	12	10 to 12
Codfish.....do.	20 to 50	25	22	9	10	10	8	8	6	6 to 7
Butter.....do.	20 to 25	25	22	28	45	36	29 to 38	29 to 38	26½	22 to 25
Cheese.....do.	20 to 25	25	22	28	45	36	29 to 38	29 to 38	26½	22 to 25
Potatoes.....per bushel..	56	50	50	\$1 16	\$1 10	60	\$1 12 to \$2 00	\$1 12 to \$2 00	68	\$1 40 to \$1 60
Rice.....per pound..	6	6	9	6	7	8	3½ to 8	3½ to 8	5	8 to 10
Beans.....per quart..	6	6	9	6	7	8	3½ to 8	3½ to 8	5	8 to 10
Milk.....do.	20 to 25	18	20	18	20 to 25	5	6 to 9	6 to 9	5	7 to 10
Eggs.....per dozen..	8	8	8	8	8	8	6 to 9	6 to 9	5	8 to 10
Oatmeal.....per pound..	20 to 25	18	20	18	20 to 25	5	6 to 9	6 to 9	5	8 to 10
Tea.....do.	30 to 40	30	75	32	70	50	3½ to 4½	3½ to 4½	4	4 to 5
Coffee.....do.	30 to 40	30	75	32	70	50	3½ to 4½	3½ to 4½	4	4 to 5
Sugar.....do.	15 to 20	15	11	8½	11	8	5½ to 9	5½ to 9	8	70 to 88
Molasses.....per gallon..	15 to 20	15	11	8½	11	8	5½ to 9	5½ to 9	8	50 to 60
Soap.....per pound..	15 to 20	15	11	8½	11	8	5½ to 9	5½ to 9	8	32 to 50
Starch.....do.	15 to 20	15	11	8½	11	8	5½ to 9	5½ to 9	8	20 to 30
Corn.....per ton.	15 to 20	15	11	8½	11	8	5½ to 9	5½ to 9	8	8 to 10
Coal.....do.	15 to 20	15	11	8½	11	8	5½ to 9	5½ to 9	8	60 to 70
			\$4 25	\$11 00	\$9 00		5½ to 9	5½ to 9	14	6 to 7
							10 to 12	10 to 12		8 to 10
							\$3 20 to \$4 10	\$3 20 to \$4 10		\$3 00 to \$5 25



### Testimony of English Free-Traders.

The London *Mining Journal* of June 26, 1880, contained a communication from one of its English readers, over the signature of "Free Trade," in which the writer showed why the United States could not become a serious competitor with England in supplying the world's markets with manufactures of iron and steel. He said:

The reason of this is that it is practically impossible to regulate wages except upon the basis of the highest prices obtainable for the article manufactured, so that if the tariff permits the American ironmaster to sell to local consumers at \$10 per ton higher than before, the full proportion of that \$10 must be paid to the workmen, and the British ironmaster in all markets except the American is benefitted to the extent of the extra wages paid in America. It is obviously absurd for the British producer to complain of a foreign producing country levying an import duty on the produce which he has to sell, because that duty extends his market elsewhere and withdraws one competitor. Two countries equally well circumstanced for raw material and labor can only compete with each other when both have Protection or both Free Trade, and when one only has Free Trade, that one invariably has the best of it, because the sale price at the works is of course cheaper. For this reason I think we should be well contented that the Americans retain their tariff, and be content to retain our confidence in Free Trade.

It is an English Free Trader who pays this tribute to the effect of Protection on wages in this country.

Mr. Casson, the general manager of the Earl of Dudley's Staffordshire iron works, in his recent visit to Pittsburgh, in answer to a question by a reporter of the *Pittsburgh Commercial Gazette*, said:

I find that in many respects you have the advantage of us as regards mechanical appliances, while in others we are greatly ahead of your manufacturers. We can manufacture iron at just one-half the cost as far as the price of labor is concerned. I find that your rate of wages is about exactly double what we have to pay.

Now let us ask a question or two. Who is the greedy and who is the liberal employer? Under which policy—Protection or Free Trade—does the workingman fare the best?

### PART XIX.

## Grand Results of Protection in Increased National Power and Wealth.

Growth of the Nation Under Protection Since 1860 in Population, Wealth, Industries, and Commerce.

In the following table from official sources we have an exhibit, during the period from 1860 to 1880, of the growth of the nation in population, wealth, industries, and commerce:

Subjects.	1860.	1880.	Increase per cent.	
			1860.	1880.
Population of the United States.....	31,443,921	50,155,793	60	60
Value of farms.....	\$3,271,575,420	\$10,197,161,005	212	212
Wheat produced..... bushels.....	173,104,324	498,549,868	188	188
Wheat exported..... bushels.....	4,156,183	153,869,365	3,603	3,603
Corn produced..... bushels.....	838,792,742	1,711,454,543	105	105
Corn exported..... bushels.....	3,314,305	38,169,877	2,862	2,862
Wool produced..... pounds.....	60,264,913	232,500,000	286	286
Cotton produced..... bales.....	3,826,086	6,343,269	65	65
Wool produced..... bushels.....	172,143,185	407,858,999	136	136
Barley produced..... bushels.....	15,826,898	44,113,495	179	179
Butter exported..... pounds.....	7,651,224	39,236,698	413	413
Cheese exported..... pounds.....	15,524,830	127,553,907	722	722
Petroleum produced..... barrels.....	251,000	22,382,509	8,817	8,817
Pig-iron produced..... net tons.....	919,770	4,295,414	367	367
Rails produced..... net tons.....	205,038	1,461,897	613	613
Hogs packed.....	2,350,822	6,950,451	196	196
Merchandise imported.....	\$353,616,119	\$667,954,746	89	89
Merchandise exported.....	\$333,576,067	\$835,638,658	150	150
Gold and silver produced.....	\$46,150,000	\$75,200,000	63	63
Gold and silver exported.....	\$96,546,239	\$17,142,919	988	988
Gold and silver imported.....	\$8,550,135	\$3,034,310	188	188
Railroads, miles.....	30,635	88,237		

## CHAPTER XIII.

## Who Pays the National Taxes.

## PART I.

**Sources of Public Revenue—  
Customs, Internal Revenue,  
and Public Lands—  
The Masses Pay No Taxes  
—Only Those who Indulge  
in Foreign Broadcloths,  
Brussels and Turkey Car-  
pets, Diamonds, &c., in  
Whiskey, Wines, and To-  
bacco — Real Estate and  
Necessaries of Life Un-  
taxed by National Laws.**

An examination will show that only those persons pay taxes to the national Government who indulge in luxuries, &c. The following table gives the aggregate receipts of the Government from all sources during the fiscal year ending June 30, 1882:

**Receipts.**

From customs.....	\$220,410,730 25
“ internal revenue..	146,497,595 45
“ direct tax.....	160,141 69
“ Sales of public lands.....	4,753,140 37
“ miscellaneous sources.....	31,703,642 52
	<hr/>
	403,525,250 28

**First. CUSTOMS.** Those persons pay customs duties, and consequently contribute to this part of the income, who wear French broadcloth; who use foreign-made cotton fabrics, hemp, jute, and flax goods; who pass by the American manufacturer of earthen wares and buy foreign articles; who drink French brandy and imported liquors of all kinds; who go to the mines of Russia and England for iron, bar, pig, or rolled; who buy English jack-knives; who eat imported provisions and sugars; who dress their wives and daughters in foreign and silken goods, using velvet vestings, shawls from the Orient, bonnets from Paris, watch-chains from Geneva, and laces made by the poorly-paid laborers of Europe; who smoke Havana cigars, cheroots from Spain, and cigarettes from

Turkey; who wear wool from the sheep of South America, and woolen goods from manufacturers without interest in this country except to crush its rising industries; who walk on Brussels carpets, and shade their eyes with damask curtains; and who trip lightly in French calf boots and gaiters. All of these people help pay this customs-tax. The articles on the free list, such as tea and coffee and many important medicines, all escape this tax. Those who find it irksome to pay the tax on these luxuries may take consolation in the fact that they can dispense with the goods and thus avoid the burden.

**Second. INTERNAL REVENUE.** Those persons pay internal revenue duties and thus contribute to the funds, who drink and use distilled spirits, beer, ale, and malt liquors, wines and champagne; who chew tobacco, smoke cigars and cigarettes; who draw bank checks and manage banks; who become involved in legal difficulties with the officers of justice, and pay penalties for moonshining and other schemes for evading the tax; who use patent medicines, pills, hair-dye, tooth wash, pomades, domestic perfumeries, and the varied luxuries that enter so largely into the whims of society. All these people pay internal revenue tax.

**Third. SALES OF PUBLIC LANDS:** This item of income is self-explanatory and means just what it says. When a settler buys land of the United States he pays for it, usually \$1.25 per acre. The money from this source is part of the National income; so also are the fees of the officers in public land offices; but it is not tax.

**Fourth. MISCELLANEOUS:** This item includes many minor sources of income as the profits from the mints and assay offices, or the excess of the receipts over the expenditures of those establishments; from the excess of receipts over expenses in the steamboat inspection service; from the semi-annual tax on the circulation and deposits of National banks, less the expense of National currency; from fees on letters-patent over the expense of the Patent Office; from reimbursing the Treasury for expense in redeeming the National bank currency; from the sales of Indian lands over the cost of fulfilling treaties; from premiums on the sale of coin and on funded loans of the United States; from tax on seal-skins and rent of the Alaska



Islands; and from other like sources, not tax, and not oppressive to the people.

**Fifth. DIRECT TAX.** During the last fiscal year the actual receipts from this source were \$160,141.69. This was part of an old tax, levied during the war, by act of Congress approved August 5, 1861. The eighth section imposed a direct tax of twenty millions of dollars, which was apportioned among the States in proportion to their representation in Congress; as for example, Indiana's share of that tax was \$904,875.33 $\frac{1}{2}$ , which was paid. There has been no direct tax since; and none before, except in times of war, and of the \$20,000,000 the quota of the States in insurrection stands unpaid.

It will thus be seen that the real-estate and general business of the country are not assessed for the support of the Government of the United States; that the tax bears lightly on all; that the necessities of life escape it altogether; and that all can escape it by simply limiting their economies to the

lines of articles produced at home, and to articles not considered luxuries.

**Free-traders Claim that the Tariff is a burden upon the People. Not true.—Revenue from Customs largely derived from articles of Luxury, &c.—Official Figures.**

The free-traders claim that the tariff is a burden, and that it bears more heavily upon those least able to bear it. This is not true. With the exception of the duty on sugar, and some of the raw materials for manufacture, our revenue is largely derived from articles of luxury, and articles to meet the demands of taste and fashion among the wealthy or "well-to-do" classes, which are not articles of necessity. Our own cotton and woolen manufacturers supply substantially all the fabrics of these classes consumed by the great mass of our people. We insert a table showing the value of and duties paid upon articles of luxury and fine dress goods imported last year:

Article.	Value.	Duty.
Beer, ale and porter.....	\$848,958 80	\$341,185 62
Diamonds, etc.....	8,330,071 45	835,032 19
Fancy articles, (alabaster, etc.).....	1,526,734 38	763,367 19
Fancy feathers and artificial flowers.....	2,835,282 90	957,826 95
Musical instruments.....	1,885,892 02	415,767 60
Paintings and statuary.....	2,183,865 47	218,386 55
Silks, piece goods and manufactured.....	32,377,226 48	19,038,665 82
Spirits and wines.....	2,031,679 34	2,962,889 67
Champagne and wines.....	2,883,668 08	1,369,763 60
Other spirits, etc., and still wines.....	3,650,990 41	2,011,269 32
Tobacco and cigars.....	6,474,938 67	4,655,591 67
Braids, laces, etc., for ornamenting hats.....	2,340,384 00	702,115 20
Laces, cords, braids, gimps.....	5,124,102 76	1,798,435 96
China ware decorated.....	1,621,112 35	810,556 18
Cotton embroideries.....	8,133,500 00	1,096,756 60
Meerschaut pipes.....	64,354 00	58,679 79
Fire-crackers.....	238,025 20	227,800 05
Fruits and nuts.....	12,511,806 39	3,841,848 66
Fine cut glassware.....	802,807 20	328,322 88
Fire-arms.....	1,137,514 35	398,130 01
Cotton velvets and fine cotton goods.....	8,590,297 49	3,006,604 12
Total.....	100,093,211 74	45,830,015 52

This sum is greater than the revenue of the Government from customs in any year up to 1851, and nearly equal to that received in 1858, 1859, or 1860.

## CHAPTER XIV.

## The Homestead Question.

## PART I.

**Republican Attempts prior to 1860 to Give Homesteads to Actual Settlers—Persistent Democratic Opposition—Homestead Bills Denounced as Pernicious by the Slave Oligarchy.**

Many and persistent were the attempts made by the Republican party, while the Democracy were yet in power, to reserve our immense public domain to actual settlers at a nominal price, or without price. But until the scepter of power fell from the hands of the slave oligarchy in 1860, these attempts were invariably defeated by Democratic votes cast in the interest of those who sought to open the public domain to monopoly by speculators—to use it to build up a landed aristocracy.

Homestead bills were denounced by the Democracy as "unconstitutional," "pernicious," "corrupting," "fraught with mischief, and mischief of the most demoralizing kind," and the solid South, aided by its faithful allies of the North, succeeded in preventing these beneficent measures from becoming laws until the Republican party wrested the reins of power from the grasp of the Democracy in 1860.

**Grow's Bill to give Actual Settlers Ten Years Start of Monopolists Defeated by Democrats.**

At the first session of the Thirty-fifth Congress Mr. Grow, of Pennsylvania, introduced a bill providing that after the 1st of September, 1858, "no public lands shall be exposed to sale by proclamation of the President until the same shall have been surveyed, and the return thereof in the land office for at least ten years."

This would give to the actual settler ten years' precedence over the speculator, but it was defeated by the slaveholding Democracy by a vote of 73 to 78.

The same measure was offered as an amendment to a bill relating to pre-emptions the following year. It was

opposed by the Southern landed Democracy solidly, but finally carried by a vote of 97 to 81. The bill as amended, however, was defeated, the Republicans voting solidly for it, and every Southern Democrat but two voting against it. Only eight Northern Democrats voted for it.

**Democratic Fillibustering to Prevent Discussion of Homestead Bill—It Passes the House.**

On the 1st of February, 1859, H. R. 72, "to secure homesteads to actual settlers," came up for action. The Democracy attempted by parliamentary strategy to defeat it, and even to prohibit discussion on its merits, but it passed the House—120 to 76—the Republicans, with one exception, voting for the bill, and 60 out of 98 of the Democracy voting against it. The South was solid, as usual, against donating "land to the landless."

**Defeated in the Senate.**

The Senate defeated the bill, after an attempt to postpone it, by taking up the bill for the purchase of Cuba. The vote was 23 to 28, and the casting vote of Vice President Breckinridge secured its defeat.

**The Bill to give Slaves to Slaveholders takes precedence of the Bill to give Lands to the Landless.**

Two days later Senator Wade attempted to have the homestead bill considered, but his motion was defeated—yeas (all Republicans but seven) 24, nays (all Democrats) 31. On the 25th of February another attempt was made, but it was again antagonized by the Cuba bill. Of course a bill to give slaves to slaveholders would take precedence in a Democratic body of a bill to give homes to the landless. The yeas were 35, all Democrats; nays 24. After a lengthy debate on the Cuba bill a motion to take up the homestead bill was again defeated. Yeas, all Republicans but two; nays, all Democrats.

**Homestead Bill Passes Both Houses; but is Vetoed by a Democratic President.**

At the next session, on the 6th of March, 1860, the Grow bill, "to secure homesteads to actual settlers on the public domain," was taken up and passed by



the House, the Republicans voting for it unanimously, and all voting against it being Democrats.

The Senate passed a substitute for the Grow bill, which, with some modifications, was accepted by the House on the principle that "half a loaf is better than no bread." The substitute gave to actual settlers homesteads at twenty-five cents per acre, but did not include pre-emptors then occupying public lands.

This bill was vetoed by President Buchanan June 22, 1860, and the Senate, in which the bill originated, voted to sustain the veto.

## PART II.

### **The Republicans Succeed— And the Slave Oligarchy Secede—Industrious Free- men Triumph in Republi- can Success—Land for the Landless and Homes for All.**

On the 4th of March, 1861, President Lincoln was inaugurated. The Democratic slave-holding landed aristocracy seceded, and the Republicans, now in possession of both Houses of Congress and the executive, hastened to redeem its pledges; and early in 1862 it passed the homestead act, granting 160 acres to every actual settler 21 years or more of age, or to every head of a family who is or has declared his intention to become a citizen of the United States. This is its main feature, independent of the grant of 160 acres to every person, whether of age or not, and whether naturalized or not, who enlisted in the army to put down the rebellion.

The vote by which it passed the House, February 28, 1862, was 114 yeas to 18 nays, all but three voting against the bill being Democrats, and all but 22 voting for it being Republicans.

The Senate vote on the bill was—ayes, 33; nays, 7. Of the yeas, 30 were Republicans; of the nays, 1 was a Republican.

#### **Extending the Homestead Act—Rebel Opposition.**

In the House, February 8, 1866, a bill was passed extending the provisions of the homestead act to the States of Alabama Mississippi, Louisiana, Arkansas, and Florida. The vote by which it passed was 112 yeas to 29 nays; all the yeas being Democrats but two.

#### **The Homestead Law a Purely Repub- lican Measure.**

Thus it is demonstrated that the homestead principle is a distinguishing Republican measure, and no fraudulent attempt to claim the credit of it by the

Democracy can rob the Republicans of its authorship or the credit of the beneficent results which have accrued through it to the nation and the people.

#### **Democracy Still Hostile to the Home- stead Law.**

On the other hand, the Democracy have not only opposed the principle from the first, but still labor to rob the people of its benefits by persistent attempts to destroy the efficiency of the Land Office, by refusing appropriations to secure an increase in the clerical force of that bureau, an increase absolutely demanded for the prompt and efficient execution of its increasing business.

#### **The Beneficent Efforts of the Homestead Law Demonstrated by Facts and Fig- ures—Immense Increase in Wealth, Power and Population.**

The beneficent results of the homestead acts to the nation and the people may be seen by the following tables:

Number of homestead entries made under the act up to date.....	547,447
Number living upon such homesteads (at the low average of 4.35 per family).....	2,381,394
Number of acres entered under the act up to date.....	65,808,987

This increase of 2,381,394 thus added to the population of the Union equals the population of the following six States, viz:

	Population.
California.....	864,694
Minnesota.....	780,773
Oregon.....	174,768
Nevada.....	62,266
Colorado.....	194,327
Florida.....	269,493
	<hr/>
	2,346,321
Plus.....	35,073
	<hr/>
	2,381,394

The area added to the Union through the homestead locations made up to June 30, 1882, equals the areas of the following great States, viz:

	Acres.
New Hampshire.....	5,939,200
Massachusetts.....	4,992,000
Rhode Island.....	835,840
Connecticut.....	3,040,000
New York.....	30,080,000
New Jersey.....	5,324,800
Delaware.....	1,356,800
Maryland.....	7,814,400
Vermont.....	6,121,600
	<hr/>
	65,504,640
Plus nearly half the area of the State of Rhode Island..	304,347
	<hr/>
	65,808,987

Thus it is demonstrated that this measure, instead of being, as the Democracy claimed, "fraught with mischief of the most demoralizing kind," has added a hardy, intelligent, industrious, and patriotic population to the States in which these homesteads are located, greatly

enhancing the value of their lands, enlarging their productive industries, and thus increasing the wealth and power of the nation to a degree immeasurably greater than the value of the lands to the government when thus donated.

## CHAPTER XV.

### The National Banks.

#### PART I.

#### Bill to extend their Charters twenty years.

*Be it enacted, etc.,* That any national banking association organized under the acts of February 25, 1863, June 3, 1864, and February 14, 1880, or under sections 5133, 5134, 5135, 5136, and 5154 of the Revised Statutes of the United States, may, at any time within the two years next previous to the date of the expiration of its corporate existence under the present law, and with the approval of the Comptroller of the Currency, to be granted as hereinafter provided, extend its period of succession by amending its articles of association for a term of not more than twenty years from the expiration of the period of succession named in said articles of association, and shall have succession for such extended period, unless sooner dissolved by the act of shareholders owning two-thirds of its stock, or unless its franchise becomes forfeited by some violation of law, or unless hereafter modified or repealed.

SEC. 2. That such amendment of said articles of association shall be authorized by the consent in writing of shareholders owning not less than two-thirds of the capital stock of the association; and the board of directors shall cause such consent to be certified under the seal of the association, by its president or cashier, to the Comptroller of the Currency, accompanied by an application made by the president or cashier for the approval of the amended articles of association by the Comptroller; and such amended articles of association shall not be valid until the Comptroller shall give to such association a certificate under his hand and seal that the association has complied with all the provisions required to be complied with, and is authorized to have succession for the extended period named in the amended articles of association.

SEC. 3. That upon the receipt of the application and certificate of the association provided for in the preceding section, the Comptroller of the Currency shall cause a special examination to be made, at the expense of the association, to determine its condition; and if after such examination or otherwise, it appears to him that said association is in a satisfactory condition, he shall grant his certificate of approval provided for in the preceding section, or if it appears that the condition of said association is not satisfactory he shall withhold such certificate of approval.

SEC. 4. That any association so extending the period of its succession shall continue to enjoy all the rights and privileges and immunities granted, and shall continue to be subject to all the duties, liabilities, and restrictions imposed by the Revised Statutes of the United States and other acts having reference to national banking associations, and it shall continue to be in all respects the iden-

tical association it was before the extension of its period of succession: *Provided, however,* That the jurisdiction for suits hereafter brought by or against any association established under any law providing for national banking associations, except suits between them and the United States, or its officers and agents, shall be the same as, and not other than, the jurisdiction for suits by or against banks not organized under any law of the United States which do or might do banking business where such national banking associations may be doing business when such suits may be begun. And all laws and parts of laws of the United States inconsistent with this proviso be, and the same are hereby, repealed.

SEC. 5. That when any national banking association has amended its articles of association as provided in this act, and the Comptroller has granted his certificate of approval, any shareholder not assenting to such amendment may give notice in writing to the directors, within thirty days from the date of the certificate of approval, of his desire to withdraw from said association, in which case he shall be entitled to receive from said banking association the value of the shares so held by him, to be ascertained by an appraisal made by a committee of three persons, one to be selected by such shareholder, one by the directors, and the third by the first two; and in case the value so fixed shall not be satisfactory to any such shareholder he may appeal to the Comptroller of the Currency, who shall cause a reappraisal to be made, which shall be final and binding; and if said reappraisal shall exceed the value fixed by said committee the bank shall pay the expenses of said reappraisal, and otherwise the appellant shall pay said expenses; and the value so ascertained and determined shall be deemed to be a debt due, and be forthwith paid to said shareholder from said bank, and the shares so surrendered and appraised shall, after due notice, be sold at public sale within thirty days after the final appraisal provided in this section: *Provided,* That in the organization of any banking association intended to replace any existing banking association, and retaining the name thereof, the holders of stock in the expiring association shall be entitled to preference in the allotment of the shares of the new association in proportion to the number of shares held by them respectively in the expiring associations.

SEC. 6. That the circulating notes of any association so extending the period of its succession, which shall have been issued to it prior to such extension shall be redeemed at the Treasury of the United States, as provided in section 3 of the act of June 20, 1874, entitled "An act fixing the amount of United States notes, providing for a redistribution of national bank currency, and for other purposes," and such notes when redeemed shall be forwarded to the Comptroller of the Currency, and destroyed, as now provided by law, and at the end of three years from the date of the



extension of the corporate existence of each bank the association so extended shall deposit lawful money with the Treasurer of the United States sufficient to redeem the remainder of the circulation which was outstanding at the date of its extension, as provided in sections 5222, 5224, and 5225 of the Revised Statutes, and any gain that may arise from the failure to present such circulating notes for redemption shall inure to the benefit of the United States, and from time to time as such notes are redeemed or lawful money deposited therefore, as provided herein, new circulating notes shall be issued as provided by this act, bearing such devices, to be approved by the Secretary of the Treasury, as shall make them readily distinguishable from the circulating notes heretofore issued: *Provided, however,* That each banking association which shall obtain the benefit of this act shall reimburse to the Treasury the cost of preparing the plate or plates for such new circulating notes as shall be issued to it.

SEC. 7. That national banking associations whose corporate existence has expired or shall hereafter expire, and which do not avail themselves of the provisions of this act, shall be required to comply with the provisions of sections 5221 and 5222 of the Revised Statutes in the same manner as if the shareholders had voted to go into liquidation, as provided in section 5220 of the Revised Statutes; and the provisions of sections 5224 and 5225 of the Revised Statutes shall also be applicable to such associations, except as modified by this act; and the franchise of such association is hereby extended for the sole purpose of liquidating their affairs until such affairs are finally closed.

SEC. 8. That national banks now organized or hereafter organized, having a capital of \$150,000 or less, shall be required to keep on deposit or deposit with the Treasurer of the United States, United States bonds in excess of one-fourth of their capital stock as security for their circulating notes; but such banks shall keep on deposit or deposit with the Treasurer of the United States the amount of bonds as herein required; and such of those banks having on deposit bonds in excess of that amount are authorized to reduce their circulation by the deposit of lawful money as provided by law: *Provided,* That the amount of such circulating notes shall not in any case exceed 90 per cent. of the par value of the bonds deposited as herein provided: *Provided further,* That all national banks which shall hereafter make deposits of lawful money for the retirement in full of their circulation shall, at the time of their deposit, be assessed, for the cost of transporting and redeeming their notes then outstanding, a sum equal to the average cost of the redemption of national bank notes during the preceding year, and shall thereupon pay such assessment; and all national banks which have heretofore made or shall hereafter make deposits of lawful money for the reduction of their circulation shall be assessed and shall pay an assessment in the manner specified in section 3 of the act approved June 20, 1874, for the cost of transporting and redeeming their notes redeemed from such deposits subsequently to June 30, 1881.

SEC. 9. That any national banking association now organized, or hereafter organized, desiring to withdraw its circulating notes, upon a deposit of lawful money with the Treasurer of the United States, as provided in section 4 of the act of June 20, 1874, entitled "An act fixing the amount of United States notes, providing for a redistribution of national bank currency, and for other purposes," or as provided in this act, is authorized to deposit lawful money and withdraw a proportionate amount of the bonds held as security for its circulating notes in the order of such deposits; and no national bank which makes any deposit of lawful money in order to withdraw its circulating notes shall be entitled to receive any increase of its circulation for the period of six months from the time it made such deposit of lawful money for the purpose aforesaid: *Provided,* That not more than three millions of dollars of lawful money shall be deposited during any calendar month for this purpose: *And provided further,* That the provisions of this section shall not apply to bonds called for redemption by the Secretary of the Treasury,

nor to the withdrawal of circulating notes in consequence thereof.

SEC. 10. That upon a deposit of bonds as described by sections 5159 and 5160, except as modified by section 4 of an act entitled "An act fixing the amount of United States notes, providing for a redistribution of the national bank currency, and for other purposes," approved June 20, 1874, and as modified by section 8 of this act, the association making the same shall be entitled to receive from the Comptroller of the Currency circulating notes of different denominations, in blank, registered and countersigned as provided by law, equal in amount to 90 per cent. of the current market value, not exceeding part of the United States bonds so transferred and delivered, and at no time shall the total amount of such notes issued to any such association exceed 90 per cent. of the amount at such time actually paid in of its capital stock; and the provisions of sections 5171 and 5176 of the Revised Statutes are hereby repealed.

SEC. 11. That the Secretary of the Treasury is hereby authorized to receive at the Treasury any bonds of the United States bearing 3½ per cent. interest, and to issue in exchange therefor an equal amount of registered bonds of the United States of the denominations of fifty, one hundred, five hundred, one thousand, and ten thousand dollars, of such form as he may prescribe, bearing interest at the rate of 3 per cent. per annum, payable quarterly at the Treasury of the United States. Such bonds shall be exempt from all taxation by or under State authority, and be payable at the pleasure of the United States: *Provided,* That the bonds herein authorized shall not be called in and paid so long as any bonds of the United States heretofore issued, bearing a higher rate of interest than 3 per cent., and which shall be redeemable at the pleasure of the United States, shall be outstanding and uncalled. The last of said bonds originally issued under this act, and their substitutes, shall be first called in, and this order of payment shall be followed until all shall have been paid.

SEC. 12. That the Secretary of the Treasury is authorized and directed to receive deposits of gold coin with the Treasurer or assistant treasurers of the United States, in sums not less than \$20, and to issue certificates therefor in denominations of not less than \$20 each, corresponding with the denominations of United States notes. The coin deposited for or representing the certificates of deposit shall be retained in the Treasury for the payment of the same on demand. Said certificates shall be receivable for customs, taxes, and all public dues, and when so received may be reissued; and such certificates, as also silver certificates, when held by any national banking association, shall be counted as part of its lawful reserve; and no national banking association shall be a member of any clearing-house in which such certificates shall not be receivable in the settlement of clearing-house balances: *Provided,* That the Secretary of the Treasury shall suspend the issue of such gold certificates whenever the amount of gold coin and gold bullion in the Treasury reserved for the redemption of United States notes falls below \$100,000,000; and the provisions of section 5207 of the Revised Statutes shall be applicable to the certificates herein authorized and directed to be issued.

SEC. 13. That any officer, clerk, or agent of any national banking association who shall willfully violate the provisions of an act entitled, "An act in reference to certifying checks by national banks," approved March 3, 1869, being section 5208 of the Revised Statutes of the United States, or who shall resort to any device, or receive any fictitious obligation, direct or collateral, in order to evade the provisions thereof, or who shall certify checks before the amount thereof shall have been regularly entered to the credit of the debt or upon the books of the banking association, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof in any circuit or district court of the United States, be fined not more than \$5,000, or shall be imprisoned not more than five years, or both, in the discretion of the court.

SEC. 14. That Congress may at any time amend, alter, or repeal this act and the acts of which this is amendatory.

The act was approved July 12, 1882.

The act was passed by the following vote—SENATE :

YEAS—Messrs. Aldrich, Allison, Blair, *Call*, Chilcot, Conger, *Davis* of West Virginia, Dawes, Ferry, Frye, *Gorman*, *Groome*, *Hampton*, Harrison, Hawley, Hill of Colorado, Hoar, *Jonas*, Lapham, Logan, McMillan, MAHON, Miller of California, Miller New York, *Morgan*, Morrill, *Ransom*, Rollins, Saunders, Sawyer, Sewell, Sherman, Van Wyck, Windom—34.

NAYS—Messrs. Brown, Cockrell, Cooke, Farley, George, Grover, Jones of Nevada, Mazey, Pugh, Vance, Voorhees, Walker, Williams—13.

## HOUSE :

YEAS—Messrs. Aiken, W. Aldrich, Barr, Bayne, Bisbee, J. H. Brewer, Briggs, Browne, Buck, *Buckner*, J. C. Burrows, Butterworth, Campbell, Candler, Cannon, Carpenter, Caswell, Chace, Crapo, Cutts, Darrall, Dawes, Deering, De Motte, Dingley, Dunnell, Dwight, *Ermentrout*, Errett, S. S. Farwell, George, *Gibson*, Godshalk, J. Hammond, *Hardenburgh*, B. W. Harris, Haskell, G. C. Hazleton, Hepburn, Hiseock, *Hoblitzell*, Horr, Houck, Hubbell, Jadwin, Kasson, Kelley, Ketcham, La-

cey, Lord, Lynch, Mackey, McCook, McKinley, *McLane*, Miles, Moore, Morey, *Morse*, Mutchler, Neale, Norcross, *Oates*, O'Neill, Orth, Pacheco, Parker, Payson, Peele, Pierce, Pound, Prescott, Ranne, Ray, Reed, J. B. Rice, W. W. Rice, Rich, Ritchie, G. D. Robinson, J. S. Robinson, Scranton, Shallenberger, *Shelley*, Shultz, A. H. Smith, D. C. Smith, Spaulding, Spooner, E. F. Stone, Strait, *Talbot*, E. B. Taylor, W. G. Thompson, A. Townsend, Tyler, J. T. Updegraff, T. Updegraff, Urner, Valentine, Van Aernam, Wadsworth, Wait, Walker, Ward, Washburn, Webber, J. D. White, C. G. Williams, Willits—110.

NAYS—Messrs. Anderson, *Armfield*, Atkins, Belford, Beltzhoover, Berry, *Blount*, BRUMM, Buchanan, J. W. Caldwell, Cassidy, Chapman, Clardy, Cobb, Converse, Cook, S. S. Cox, W. R. Cox, Covington, Cravens, Culberson, *Davidson*, Dibrell, Dowd, Dugro, Dunn, Evans, FORD, Frost, FULKERSON, Geddes, N. J. Hammond, Hardy, I. S. HAZELTINE, Hatch, G. W. Hewitt, Hoge, Holman, Hooker, House, G. W. Jones, Kenny, Klotz, Knott, LADD, Latham, LOWE, Matson, McKenzie, McMillin, Mills, Morrison, *Moulton*, Page, PAUL, Phelps, Phister, Randall, Reagan, Rosecrans, Scales, Simonton, O. R. Singleton, Speer, Springer, P. B. Thompson, jr., Tillman, R. W. Towshend, Tucker, H. G. Turner, O. Turner, Upson, Vance, R. Warner, Welborn, T. Williams, Wilson, G. D. Wise, M. R. Wise—79.

Statement of the Comptroller of the Currency on September 1, 1882, showing the amounts of National Bank Notes and of Legal Tender Notes outstanding at the dates of the passage of the Acts of June 20, 1874, January 14, 1875, and May 31, 1878, together with the amounts outstanding at date, and the increase or decrease:

## NATIONAL BANK NOTES.

Amount outstanding June 20, 1874...	\$349,894,182
Amount outstanding January 14, 1875,	351,861,450
Amount outstanding May 31, 1878....	322,555,965
Amount outstanding at date*.....	359,691,573
Increase during the last month.....	1,715,490
Increase since September 1, 1881.....	2,778,562

## LEGAL TENDER NOTES.

Amount outstanding June 20, 1874....	\$382,000,000
Amount outstanding January 14, 1875,	382,000,000
Amount retired under Act of January 14, 1875, to May 31, 1878.....	35,318,934
Amount outstanding on and since May 31, 1878.....	346,681,016
Amount on deposit with the Treasurer U. S. to redeem notes of insolvent and liquidated banks, and banks retiring circulation under Act of June 20, 1874.....	39,387,790
Increase in deposit during the last month.....	737,313
Increase in deposit since September 1, 1881.....	7,119,545

\*Circulation of National Gold Banks not included in the above, \$823,329.



## PART II.

## Statistics Relating to the Banks.

**Dividends and Earnings of the National Banks—Taxes Paid by the National Banks and by other Banks—Ratio of Tax to Capital—Banks as Holders of Government Bonds—Aggregate Capital and Deposits of National and Other Banks, &c—Amounts of National Bank Notes and Legal Tender Notes Outstanding at Certain dates up to Sept. 1, 1882.**

[From the Report of the Comptroller of the Currency, 1881.]

## Dividends and Earnings of National Banks.

The following table shows the capital, surplus, dividends, and total earnings of all the national banks, for each half year, from March 1, 1869, to September 1, 1881, with the ratios, as before specified :

Period of six months, ending—	No. of banks.	Capital.	Surplus.	Total dividends.	Total net earnings.	RATIOS.		
						Dividends to capital.	Dividends to capital and surplus.	Earnings to capital and surplus.
						<i>Per ct.</i>	<i>Per cent.</i>	<i>Per cent.</i>
Sept. 1, 1869	1,481	\$401,650,802	\$ 82,105,848	\$21,767,831	\$29,221,184	5.42	4.50	6.04
Mar. 1, 1870	1,571	416,366,991	86,118,210	21,479,095	28,996,934	5.16	4.27	5.77
Sept. 1, 1870	1,601	425,317,104	91,630,620	21,080,343	26,813,885	4.96	4.08	5.19
Mar. 1, 1871	1,605	428,699,165	94,672,401	22,205,150	27,243,162	5.18	4.24	4.21
Sept. 1, 1871	1,693	445,999,264	93,286,591	22,125,279	27,315,311	4.96	4.07	5.02
Mar. 1, 1872	1,750	450,693,706	99,431,243	22,859,826	27,502,539	5.07	4.16	5.00
Sept. 1, 1872	1,852	465,676,023	105,181,942	23,827,289	30,572,891	5.12	4.17	5.36
Mar. 1, 1873	1,912	475,913,683	114,257,288	24,826,061	31,926,478	5.22	4.21	5.41
Sept. 1, 1873	1,955	488,100,951	118,113,848	24,823,029	33,122,000	5.09	4.09	5.46
Mar. 1, 1874	1,967	489,510,323	123,469,859	23,529,993	29,544,120	4.81	3.84	4.82
Sept. 1, 1874	1,971	489,938,284	128,364,039	24,929,307	30,036,811	5.09	4.03	4.86
Mar. 1, 1875	2,007	493,568,831	131,500,637	24,750,816	29,136,007	5.01	3.96	4.66
Sept. 1, 1875	2,047	497,864,835	134,123,649	24,317,785	28,800,217	4.88	3.85	4.56
Mar. 1, 1876	2,076	504,209,491	134,467,595	24,811,581	23,097,921	4.92	3.88	3.62
Sept. 1, 1876	2,081	500,482,271	132,251,078	22,563,829	20,540,231	4.50	3.57	3.25
Mar. 1, 1877	2,080	496,651,580	130,872,165	31,803,969	19,592,962	4.39	3.47	3.12
Sept. 1, 1877	2,072	486,324,860	124,349,254	22,117,116	15,274,028	4.54	3.62	2.50
Mar. 1, 1878	2,074	475,609,751	122,373,561	18,982,390	16,946,696	3.99	3.17	2.83
Sept. 1, 1878	2,047	470,231,896	118,687,134	17,959,223	13,658,893	3.81	3.04	2.31
Mar. 1, 1879	2,043	464,413,993	116,744,135	17,541,054	14,678,660	3.78	3.02	2.53
Sept. 1, 1879	2,045	455,132,056	115,149,351	17,401,867	16,873,200	3.82	3.05	2.96
Mar. 1, 1880	2,046	454,080,090	117,226,501	18,121,273	21,152,784	3.99	3.17	3.70
Sept. 1, 1880	2,072	454,215,062	120,145,649	18,290,200	24,033,250	4.03	3.18	4.18
*Mar. 1, 1881	2,087	456,844,865	122,481,788	18,877,517	24,452,021	4.13	3.26	4.22
*Sept. 1, 1881	2,100	458,934,485	127,238,394	19,499,694	29,170,816	4.25	3.33	4.93
Mar. 1, 1882	2,136	460,254,485	131,241,585	19,910,875	27,038,808	4.33	3.37	4.57

\*175 banks failed to make dividends in 1881; and an average of 257 failed to make dividends during 1877, 1878, 1879, 1880, and 1881.

The percentage to capital of dividends paid, and of dividends and earnings to combined capital and surplus, is given by similar divisions for the years 1879, 1880, and 1881, in the following table :

Geographical divisions.	1879.			1880.			1881.		
	Dividends to capital.	Dividends to capital and surplus.	Earnings to capital and surplus.	Dividends to capital.	Dividends to capital and surplus.	Earnings to capital and surplus.	Dividends to capital.	Dividends to capital and surplus.	Earnings to capital and surplus.
	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>
New England States.....	6.4	5.2	4.2	6.8	5.5	6.4	7.2	5.8	7.3
Middle States..	7.9	6.1	5.8	8.4	6.5	8.6	8.5	6.4	9.4
Southern States	7.0	6.0	5.4	7.8	6.7	7.6	8.3	6.9	11.3
Western States and Territories.....	9.4	7.5	7.1	9.5	7.6	9.3	10.4	8.1	11.6
United States..	7.6	6.1	5.5	8.0	6.4	7.9	8.4	6.6	9.2

**Taxes paid by the National Banks.**

The national banks, under present law, pay to the United States a tax of one per cent. upon the amount of their notes in circulation, one-half of one per cent. upon the amount of their deposits, and the same rate upon the average amount of capital invested in United States bonds.

The following table shows the amount annually paid under this law, from the commencement of the national banking system to July 1, 1881, showing an aggregate of taxes paid to the United States, by national banks, \$108,855,021.90:

Year.	On circulation.	On deposits.	On capital.	Total.
1864.....	\$53,193 32	\$95,911 87	\$18,432 07	\$167,537 26
1865.....	733,247 59	1,087,530 86	133,251 15	1,954,029 60
1866.....	2,106,785 30	2,633,102 77	406,947 74	5,146,835 81
1867.....	2,868,636 78	2,650,180 09	321,881 36	5,840,698 23
1868.....	2,946,843 07	2,564,143 44	306,781 67	5,817,768 18
1869.....	2,957,416 73	2,614,553 58	312,918 68	5,884,888 90
1870.....	2,949,744 13	2,614,767 61	375,962 26	5,940,474 00
1871.....	2,987,021 69	2,802,840 85	385,292 13	6,175,154 67
1872.....	3,193,570 03	3,120,984 37	389,356 27	6,703,910 67
1873.....	3,353,186 13	3,196,569 29	454,891 51	7,004,646 93
1874.....	3,404,483 11	3,209,967 72	469,048 02	7,083,498 85
1875.....	3,283,450 89	3,514,265 89	507,417 76	7,305,134 04
1876.....	3,091,795 76	3,505,129 64	632,296 16	7,229,221 56
1877.....	2,900,957 53	3,451,965 88	660,784 90	7,013,707 31
1878.....	2,948,047 08	3,273,111 74	560,296 83	6,781,455 65
1879.....	3,009,647 16	3,309,668 90	401,920 61	6,721,236 67
1880.....	3,153,635 63	4,058,710 61	379,424 19	7,591,770 43
1881.....	3,121,374 83	4,940,945 12	431,233 10	8,493,552 55
Aggregates .....	\$49,062,536 26	\$52,644,345 23	\$7,148,136 41	\$108,855,021 90

The amount of tax paid upon circulation alone is \$49,062,436. The whole cost to the government of the national system, since its establishment in 1863, has been \$5,148,649.01-

**Taxes Paid by other than National Banks.**

The banks, other than national, pay taxes to the United States on account of their circulation, deposits, and capital, at the same rates as are paid by the national banks.

The table below exhibits the taxes which have been paid by these banks for the years from 1864 to 1881, inclusive. The amounts given under the head of tax on circulation have, for a number of years, been principally derived from the tax of ten per cent. upon State bank circulation paid out. The whole amount of tax paid by these banks is \$61,540,474.63:

Year.	On circulation.	On deposits.	On capital.	Total.
1864.....	\$2,056,996 30	\$780,723 52	.....	\$2,837,719 82
1865.....	1,993,661 84	2,043,841 08	\$903,367 98	4,940,870 90
1866.....	990,278 11	2,099,635 83	374,074 11	3,463,988 05
1867.....	214,296 75	1,355,195 98	476,867 73	2,046,562 46
1868.....	28,669 88	1,438,512 77	399,562 90	1,866,745 55
1869.....	16,565 05	1,734,417 63	445,071 49	2,196,054 17
1870.....	15,419 94	2,177,576 46	827,887 21	3,020,883 61
1871.....	22,781 92	2,902,196 .4	919,262 77	3,644,241 53
1872.....	8,919 82	3,953,251 71	976,057 61	4,628,229 44
1873.....	24,778 62	3,009,302 79	736,950 05	3,771,031 46
1874.....	16,738 26	2,433,544 26	916,878 17	3,387,160 67
1875.....	22,746 27	2,772,260 27	1,102,241 58	4,097,248 12
1876.....	17,947 67	2,999,530 75	989,219 61	4,006,698 03
1877.....	5,430 16	2,896,637 93	927,661 24	3,829,729 33
1878.....	1,118 72	2,593,687 29	897,225 84	3,492,031 85
1879.....	13,903 29	2,354,911 74	830,068 56	3,198,883 59
1880.....	28,773 37	2,510,775 43	811,436 48	3,350,985 28
1881.....	4,295 08	2,946,906 64	811,006 35	3,762,208 07
Aggregates .....	\$5,483,323 05	\$42,713,108 92	\$13,344,039 66	\$61,540,471 63



The following condensed table shows the taxes, both National and State, paid by the national banks during each year from 1866 to 1880, inclusive, and their ratios to capital :

Years.	Capital stock.	Amount of taxes.			Ratio of tax to Capital.		
		United States.	State.	Total.	United States.	State.	Total.
					<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>
1866.....	\$410,593,435	\$7,949,451	\$8,069,938	\$16,019,389	1.9	2.0	3.9
1867.....	422,804,666	9,525,507	8,813,127	18,338,734	2.2	2.1	4.3
1868.....	420,143,891	9,465,652	8,757,656	18,223,308	2.2	2.1	4.3
1869.....	419,619,860	10,081,244	7,297,096	17,378,340	2.4	1.7	4.1
1870.....	429,414,041	10,190,682	7,465,775	17,656,357	2.4	1.7	4.1
1871.....	451,994,133	10,649,895	7,860,078	18,509,973	2.4	1.7	4.1
1872.....	472,956,958	6,703,910	8,343,772	15,047,682	1.4	1.8	3.2
1873.....	488,778,418	7,004,646	8,499,743	15,504,394	1.4	1.8	3.2
1874.....	493,751,679	7,256,083	9,620,326	16,876,409	1.5	5.0	3.5
1875.....	503,687,911	7,317,531	10,058,122	17,375,653	1.5	2.0	3.5
1876.....	501,788,079	7,076,087	9,701,732	16,777,819	2.4	2.0	3.4
1877.....	885,250,664	6,902,573	8,829,304	15,731,877	1.2	1.9	3.3
1878.....	471,064,238	6,727,232	8,056,533	14,783,765	1.4	1.7	3.1
1879.....	456,968,504	7,016,131	7,603,232	14,618,363	1.5	1.7	3.2
1880.....	457,266,545	8,118,103	8,876,822	15,994,925	1.8	1.8	3.6

These statistics show that during the fifteen years covered by the table the average amount annually paid by the national banks to the States and to the United States was \$16,589,199, or more than 3½ per cent. upon their capital stock ; during the last year given, the total amount paid was \$15,994,925, or more than 4 per cent. upon the amount of the average circulation of the banks then in operation.

#### Banks as Holders of Government Bonds.

The amount of United States bonds held by the national banks on October 1, 1881, including those pledged as security for circulation and public deposits, was \$436,120,950, and the average amount held by the other banks and bankers of the country, during the six months ending May 31 last, was \$253,201,340. The total amount held by all the banks and bankers during the last two years is considerably more than one-third of the whole interest-bearing funded debt by the United States, as follows :

	1880.	1881.
National banks.....	\$403,369,350	\$426,120,950*
Saving banks.....	189,187,846	214,880,178
State banks and trust companies.....	24,498,604	31,650,668
Private bankers.....	14,366,684	16,670,494
Total.....	\$631,422,454	\$679,322,290

\*Of this amount, \$369,608,500 were held as security for circulation, and \$56,512,450 for other purposes.

#### Aggregate Capital and Deposits of National and other Banks, at Dates Nearest to May 31, in each of the last six years.

Years	National banks.			State banks, private banks, etc.			Savings banks with capital.			Savings banks without capital.		Total.		
	No.	Capital.	Deposits.	No.	Capital.	Deposits.	No.	Capital.	Deposits.	No.	Deposits.	No.	Capital.	Deposits.
1876 ...	2,991	500.4	713.5	3,803	214.0	480.0	26	5.0	37.2	691	844.6	6,611	719.4	2,075.3
1877 ...	2,078	481.0	768.2	3,799	218.6	470.5	26	4.9	38.2	676	843.2	6,579	704.5	2,120.1
1878 ...	2,056	470.4	677.2	3,709	202.2	413.3	23	3.2	26.2	668	803.3	6,456	675.8	1,920.0
1879 ...	2,048	455.3	713.4	3,639	197.0	397.0	29	4.2	39.1	644	747.1	6,360	656.5	1,893.5
1880 ...	2,076	455.9	900.8	3,798	190.1	501.5	29	4.0	34.6	629	783.0	6,532	650.0	2,219.9
1881 ...	2,115	460.2	1,139.9	4,016	206.5	627.5	36	4.2	37.6	629	862.3	6,796	670.9	2,667.3

## CHAPTER XVI.

## Reduction of Internal Revenue Taxation and of Customs Duties.

## PART I.

**Bill in the House of Representatives.**

**Repeal of Stamp Tax on Bank Checks, Drafts, Orders, and Vouchers—Of the Tax on the Capital and Deposits of Banks—On Matches, Medicinal Preparations, and License of certain Peddlers—Reduction of Tax on Cigars, Cigarettes, etc.**

On June 27, 1882, the following bill for the reduction of certain internal revenue taxes, a matter in which the people were deeply interested, was passed by the Republican House of Representatives.

*Be it enacted, etc.,* That on and after the passage of this act, except as hereinafter provided, the taxes herein specified imposed by the internal revenue laws now in force be, and the same are hereby, repealed, namely: The stamp tax on bank checks, drafts, orders, and vouchers; the tax on the capital and deposits of banks and bankers under section 3408 of the Revised Statutes of the United States, as amended; the tax on the capital and deposits of national banks under section 5214 of said Revised Statutes, not including the taxes on the capital and deposits of said banks, bankers, and national banks for the six months' period ending in the case of national banks on the 30th day of June, 1882, and in the case of other banks and bankers on the 31st day of May, 1882; the tax on matches, perfumery, medicinal preparations, and other articles imposed by Schedule A following section 3437 of said Revised Statutes.

SEC. 2. That from and after the 1st day of May, eighteen hundred and eighty-three, dealers in leaf tobacco shall pay \$12; dealers in manufactured tobacco shall pay \$2.40; all manufacturers of tobacco shall pay \$6; manufacturers of cigars shall pay \$6. Peddlers of tobacco, snuff, and cigars shall pay special taxes as follows: Peddlers of the first class, as now defined by law, shall pay \$30; peddlers of the second class shall pay \$15; peddlers of the third class shall pay \$7.20; and peddlers of the fourth class shall pay \$3.60. Retail dealers in leaf tobacco shall pay \$250, and 30 cents for each dollar on the amount of their monthly sales in excess of the rate of five hundred dollars.

SEC. 3. That on cigars which shall be manufactured and sold, or removed for consumption or use, there shall be assessed and collected the following taxes, to be paid by the manufacturer thereof: On cigars of all descriptions, made of tobacco or any substitute thereof, \$4 per thousand; on cigarettes weighing not more than three pounds per thousand, 75 cents per thousand; on cigarettes weighing more than three pounds per thousand, \$4 per thousand; *Provided*, That on all original unbroken packages of checks, matches, cigars, sheroots, and cigarettes held by manufacturers or dealers on the passage of this act, upon which the tax has been paid, there shall be allowed a rebate or drawback of the full amount of the reduction. It shall be the duty of

the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to adopt such rules and regulations and to prescribe and furnish such blanks and forms as may be necessary to carry this act into effect.

**The House passes the Bill—yeas 127, nays 80.**

YEAS—Messrs. W. Aldrich, Barr, Bayne, Bel'ford, Bingham, Bisbee, Blanchard, Bliss, Bowman, J. H. Brewer, Briggs, Browne, Buck, J. C. Burrows, Butterworth, Calkins, Campbell, Candler, Cannon, Carpenter, Caswell, Chace, Covington, Crapo, Cullen, Darrall, G. R. Davis, Deering, De Motte, Deuster, Dezendorf, Dowd, Ellis, Errett, S. S. Farwell, Fisher, Flower, Frost, Geddes, George, Gibson, Godshalk, Guenther, J. Hammond, Harmer, B. W. Harris, H. S. Harris, Heilman, A. S. Hewit, J. Hill, Hicock, Hoblitzell, Horr, Hubbell, Hubbs, Humphrey, Jacobs, Jadwin, P. Jones, Joyce, Kasson, Kelley, Ketcham, Lewis, Lord, Mackey, McClure, McCook, McLane, Miles, S. H. Miller, Moore, Morey, Morse, New, Norcross, O'Neill, Orth, Parker, Peelle, Peirce, Pettibone, Pfister, Pound, Prescott, Ranney, Ray, Reed, Rich, D. P. Richardson, G. D. Robinson, J. S. Robinson, Ross, W. A. Russell, Scoville, Stanton, Shackelford, Shallenberger, Shultz, A. H. Smith, D. C. Smith, J. H. Smith, Spaulding, Spear, Spooner, E. F. Stone, Strait, W. G. Thompson, Tiltman, A. Townsend, Tyler, J. T. Updegraff, Urner, Valentine, Van Aernam, Van Horn, Van Voorhis, Wadsworth, Wait, Walker, Washburn, Webber, West, Willis, Willits, Wilson, T. L. Young—127.

NAYS—Messrs. Anderson, Armfield, Atkins, Belmont, Berry, Bland, Blount, Brumm, Buchanan, Buckner, Cabell, Caldwell, Cartledge, F. C. Clements, Cobb, Cole-  
rick, Cook, S. S. Cox, W. R. Cox, Cravens, Culberson, Cutts, Davidson, L. H. Davis, Dibrall, Dingley, Dugro, Dunnell, Forney, Fulkerson, Gunter, N. J. Hammond, I. S. HAZELTINE, Hatch, G. C. Hazelton, Hepburn, Herbert, G. W. Hewitt, Hope, Holman Hooker, House, G. W. Jones, J. K. Jones, Jorgensen, Kenna, King, Knott, Latham, Manning, Matson, McKenzie, McMillin, Mills, Morrison, Moulton, Mordrew, Payson, Phelps, Reagan, J. B. Rice, T. M. Rice, Ritchie, Rosecrans, Scales, Shelley, Sparks, Springer, Stockslager, P. B. Thompson, jr., R. W. Townshend, Tucker, O. Turner, Upson, Vance, R. Warner, Webborn, J. D. White, Withthorne, T. Williams—80.

## PART II.

**The Bill in the Senate.**

**Repeal of Stamp Tax on Bank Checks, Drafts, Orders, and Vouchers—Of Taxes on Bank Capital and Deposits—Reduction of Taxes on certain peddlers' licenses—On Matches, Patent Medicines, &c.—On Cigars and Cigarettes, &c.—Of the Customs Duties on Molasses, Sugar-cane Juice, and Sugars, &c.—On Steel Railway Bars and Railway Bars made in part of Steel,**



**&c.—On Hoop, Band, and Scroll Iron, &c.**

On July 6, 1882, this bill was reported by Mr. Morrill, from the Senate Committee on Finance. It was considered in the committee of the whole, recommitted, and on the 12th was again reported to the Senate with important modifications of its provisions as follows:

*Be it enacted, etc.,* That the taxes herein specified imposed by the laws now in force be, and the same are hereby, repealed as hereinafter provided, namely: The taxes on capital and deposits of banks and bankers, except such taxes as are now due and payable; and on and after the first day of October, eighteen hundred and eighty-two, the stamp-tax on bank-checks, drafts, orders, and vouchers, and the tax on matches, perfumery, medicinal preparations, and other articles imposed by Schedule A following section thirty-four hundred and thirty-seven of the Revised Statutes: *Provided*, That no drawback shall be allowed upon articles embraced in said schedule that shall be exported on and after the first day of October eighteen hundred and eighty-two: *Provided further*, That on and after August fifteenth, eighteen hundred and eighty-two, matches may be removed by manufacturers thereof from the place of manufacture to warehouses within the United States without attaching thereto the stamps required by law, under such regulations as may be prescribed by the Commissioner of Internal Revenue.

SEC. 2. That from and after the first day of May, eighteen hundred and eighty-three, dealers in leaf-tobacco shall annually pay twelve dollars; dealers in manufactured tobacco shall pay two dollars and forty cents; all manufacturers of tobacco shall pay six dollars; manufacturers of cigars shall pay six dollars; peddlers of tobacco, snuff, and cigars shall pay special taxes, as follows: Peddlers of the first class, as now defined by law, shall pay thirty dollars; peddlers of the second class shall pay fifteen dollars; peddlers of the third class shall pay seven dollars and twenty cents; and peddlers of the fourth class shall pay three dollars and sixty cents. Retail dealers in leaf-tobacco shall pay two hundred and fifty dollars, and thirty cents for each dollar on the amount of their monthly sales in excess of the rate of five hundred dollars per annum.

SEC. 3. That on cigars which shall be manufactured and sold, or removed for consumption or sale on and after the first day of October, eighteen hundred and eighty-two, there shall be assessed and collected the following taxes, to be paid by the manufacturer thereof: On cigars of all descriptions, made of tobacco or any substitute thereof, four dollars per thousand; on cigarettes weighing not more than three pounds per thousand, seventy-five cents per thousand; on cigarettes weighing more than three pounds per thousand, four dollars per thousand.

SEC. 4. That on and after the first day of October, eighteen hundred and eighty-two, so much of section three of an act approved March third, eighteen hundred and seventy-five, entitled "An act to further protect the sinking fund and provide for the exigencies of the government," as imposes an additional duty of twenty-five per centum on all molasses, tank-bottoms, sirup of sugar-cane juice, melada, and on sugars, according to the Dutch standard in color, imported from foreign countries, is hereby repealed; and the duties on such articles shall be and remain the same as before the passage of said act. And the Secretary of the Treasury is hereby authorized and directed to cause proper Dutch standards of sugar to be furnished for use in the collection of duties on sugar, and to declare by regulation the true saccharine strength which shall be equivalent to each number of such standard. And in any case where the strength of the imported sugar is, in proportion to its color, above the proper strength for that color by the Dutch standard, duties shall be charged ac-

ording to the strength, and not according to the color.

SEC. 5. That section twenty-five hundred and four, title thirty-three, of the Revised Statutes of the United States, be amended by adding to Schedule E of said title the following:

"That on and after the first day of October, eighteen hundred and eighty-two, the duty on steel railway bars, and railway bars made in part of steel, shall be twenty dollars per ton; and that on all manufactures, articles, vessels, and wares made from hoop, band, or scroll iron, or of which hoop, band, or scroll iron shall be the component material of chief value, there shall be levied, collected, and paid the same duty, or rate of duty, as that imposed on the hoop, band, or scroll iron from which they are made, or which shall be the component material of chief value."

SEC. 6. That the reduction of duties provided for by this act shall also apply to all goods, wares, and merchandise on deposit in warehouses or public stores on the first day of October, eighteen hundred and eighty-two.

When the bill reached the Senate, it was amended in Committee so as to enlarge its provisions, adding to the repeal and reductions of internal revenue taxes important modifications and reductions of our customs duties—all for the relief of business and of the great body of the people. But the Democracy assailed it in every way. In the Senate, they attempted to overload it with amendments which, if adopted, would in effect have swept away all customs duties, have practically abolished our present tariff, and the largest portion of our internal revenue taxes. By these and prolonged debate in their discussion the Democracy succeeded in defeating this important measure for the relief of the people.

### PART III.

#### The Carlisle Bill of 1881.

**Repeal of all Taxes on Bank Checks, Drafts, and Orders—On Bank Deposits—On Matches, Patent Medicines, Cosmetics, Colognes, &c.—Prayed for by many thousands of Memorialists in all occupations of life.**

The following is the bill introduced in the House at the previous session by Mr. Carlisle, of Kentucky, from the Democratic Committee of Ways and Means:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all laws and parts of laws imposing taxes on bank checks, drafts, and orders, deposits in banks, or with persons, associations, companies, or corporations engaged in the business of banking, and all laws imposing taxes on friction matches and on medicines or preparations, perfumery, cosmetics, and other articles mentioned in Schedule A, section thirty-four hundred and thirty-seven of the Revised Statutes of the United States, except wax tapers, cigar-lights, and playing cards, be, and the same are hereby, repealed: *Provided*, That all cordials, bitters, and other like preparations containing distilled spirits, and which are capable of being used as a beverage,

and which shall contain more than twenty per centum of proof-spirits, by whatsoever name they may be called, shall continue to be subject to the stamp-tax prescribed in said Schedule A, section thirty-four hundred and thirty-seven of the Revised Statutes of the United States: *And provided further*, That this repeal shall not take effect, except as to bank deposits, until the expiration of three months after the passage of this act.

**Mr. Carlisle's Report from the House Democratic Committee of Ways and Means in support of Bill.**

This bill was accompanied by a report (H. R. 307, 46th Cong., 3d Sess.) made by Mr. Carlisle in support of the repeal of these taxes. He urges:

The repeal of these taxes and some others also was recommended by the Secretary of the Treasury and by the Commissioner of Internal Revenue in their last annual reports, and has been urged upon Congress during the present session by many thousand memorialists residing in all parts of the country and engaged in all the various occupations of life.

\* \* \* \* \*

The taxes which it is proposed to repeal, and the amounts realized from them in 1880, are as follows:

Bank checks, drafts, and orders.....	\$2,270,421 00
Bank deposits, other than national and savings banks.....	2,347,568 07
Friction matches.....	3,561,300 00
Medicines, perfumery, cosmetics, &c.	1,836,673 22
National bank deposits.....	4,058,710 61
Savings banks deposits.....	163,207 36
Total .....	14,237,880 26

**In conclusion Mr. Carlisle urges:**

It may be stated generally, however, that if the reduction of taxation at the present time is to be confined entirely to the articles embraced in the internal-revenue laws, there would seem to be more propriety in selecting at first those small items which affect the business and consumption of a great number of people than there would be in attempting merely to reduce the rate upon distilled spirits, fermented liquors, manufactured tobacco, snuff, and cigars, from which the great bulk of the internal revenue is derived.

No one who understands the real necessities of the government would be willing to advocate the immediate repeal of the entire internal revenue system, nor would it be wise in the judgment of your committee to disturb business and derange existing values by agitating at this time the question of either reducing or increasing taxes upon the principal articles just mentioned. These and other considerations have induced the committee to agree upon the bill herewith reported. The repeal of the taxes upon bank checks, drafts, and orders, bank deposits, friction matches, medicines, and medicinal preparations, perfumery, and cosmetics will not disturb any of the business interests of the country. It will not be a mere experiment upon the revenues of the government, because the extent to which it will affect the receipts can be calculated in advance with almost absolute certainty; nor can it be said with justice that the relief afforded by the proposed repeal will not be equitably distributed according to the character and magnitude of the interests involved.

Yet, when a repeal of these taxes was seriously proposed, with important modifications of our customs duties, extending real relief to business and a large body of our people, the Democracy united in defeating them.

## CHAPTER XVII.

### The Public Lands.

#### PART I.

#### Policy of Granting Public Lands for Internal Improvement Purposes.

**That Policy begun in 1850—Aggregate of Land appropriated between 1850 and 1861—Aggregate between 1861 and 1870, the date of Last Grant—Largest Appropriations prior to 1861—Both parties pledged to Build Pacific Roads—Built by the Republicans—Sources of Vast Wealth and Power to the Nation—The Largest Aggregate of Grants made prior to 1861 by the Democracy.**

It was not until 1850 that the policy of appropriating alternate portions of the public lands for internal improvement purposes was adopted by Congress.

There were thus granted of the public lands from 1850 to 1861:

	Acres.
To States for railroads purposes .....	29,971,226
To States for canals.....	3,705,986

Total for railroads and canals .....

33,677,212

From 1861 to 1870, the date of the last grant:

To States for railroads .....	28,932,553
To States for canals.....	700,000
To States for wagon roads...	3,225,413

Total for railroads, canals, and wagon roads .....

32,857,966

The building of the great continental lines of railroads, the Pacific roads, was advocated by both parties prior to 1861. It was urged by Presidents Pierce and



Buchanan in their official communications with Congress. Their construction was everywhere urged as a distinctive Democratic measure, and was advocated by both parties in their platforms of 1856 and 1860. Under Pierce's and Buchanan's administrations the expensive surveys for those roads were made, the reports of which Congress printed in thirteen large quarto volumes, and when the Republican party assumed the reins of government in 1861, it was, like the Democracy, pledged to their construction. They therefore built them. In doing so they have conferred upon the nation vast and permanent sources of wealth and power.

In the construction of these continental lines of road, that is, the Atlantic and Pacific, the Central and Union, and the Northern Pacific lines, Congress granted an area of land estimated at 135,000,000 acres. There have also been granted at different times about 60,000,-

000 acres of swamp lands to the States on condition that the proceeds thereof should be devoted to their reclamation. Thus we have as the aggregate grants by Congress to corporations and States for internal improvements:

	Acres.
Grants to States for rail-roads .....	58,903,779
Grants to States for wagon roads .....	3,212,453
Grants to States for canals..	4,405,986
Grants to States for swamp lands .....	60,000,000
Grants to Continental rail roads .....	135,000,000
Total for improvement and reclamation.....	261,545,173

And it will be noticed that, outside of the grants to the Continental lines, the largest aggregate of grants was made prior to 1861 by the Democracy.

## CHAPTER XVIII.

### Financial Record of the Republican Party.

#### PART I.

#### **Republican Party in 1860 found a Bankrupt Treasury with Bonds bearing 12 per cent. interest—Democratic Mal-Administration had brought Financial Ruin upon the Country—And ended in attempting to destroy the Government.**

The financial record of Democratic mal-administration of this government practically closed in 1860. The Treasury was bankrupt, and to raise money to pay the ordinary expenses of the government the Democratic administration was compelled to issue Treasury notes to the amount of \$10,010,900, at a rate of interest as high as 12 per cent.—a rate almost unprecedented—a rate which has never since been equalled, even in the darkest hour of the civil war. Capitalists even demanded 15 to 36 per cent.

Under a subsequent act—that of February, 1861,—an attempt was made to effect a loan of twenty-five millions, at six per cent., but it was abandoned after a portion of it had been sold at a little over eighty-nine cents on the dollar. So low, indeed, had the credit of the government fallen that the Secretary of the Treasury in January 1861, appealed to Congress, to ask the States to pledge the deposits received by them under the distribution act of 1836, as security for any money the government might find it necessary to borrow.

#### **The Republicans Successful—But find Financial Ruin and a Dismembered Union.**

On the 4th of March, 1861, the Republican party came into possession of this bankrupt Treasury, and found seven States in rebellion, a confederate government organized and in possession of forts, arsenals, navy yards, soldiers, mints and custom houses. It found the army dismembered and inefficient, its navy scattered to the four corners of the earth, and its arms in the hands of the enemy.

But it did not falter. On the ruin it found, it organized, armed, equipped and supplied a mighty army, and built

and manned the greatest navy the world had ever seen. It kept these mighty forces in the field for four years, at an expense of more than six thousand millions of dollars.

**Legal-Tender Notes issued—Wisdom and Forbearance amidst Temptation. The Issue Limited and the Public Credit saved.**

The first great measure of financial relief was enacted in 1862 for the issue of legal tender notes. Then followed the acts of February and July, 1862 and March, 1863, providing for the issue of \$450,000,000 of greenbacks. Of course rapid depreciation followed, and the greater the depreciation the greater the necessity for more.

Up to this time the government had followed a beaten path. To continue in that path would be easy, and the temptation to follow it was fearful. The money was needed, and nothing was so easy as to set the printing presses to work again and make it. But the Republican party, with a courage never equaled, and a sagacity never before seen and in the midst of distress, necessity and a temptation almost overwhelming, it enacted into a law this solemn declaration:—

Nor shall the total amount of United States notes issued or to be issued ever exceed \$400,000,000, and such additional sum, not exceeding \$50,000,000, as may be temporarily required for the redemption of the temporary loan.

**The Citadel of Public Credit—Democratic Assaults upon it.**

This declaration was then, and has since been, the citadel of the financial integrity of the Republic, against which the foes of the Republic have dashed in vain.

The Democracy denounced the issue of these notes when they were necessary to save the life of the nation; but in times of peace, when an unlimited issue of such notes would destroy the national credit, they demanded an unlimited issue. They denounced the suspension of specie payments when specie payments were impossible; but when resumption became possible they struggled to prevent it.

**Provision for Payment of the Public Debt in the midst of War.**

Even in the midst of war, surrounded and beset by traitors in the field and in the halls of Congress, the Republican party found time to consider and take measures for the payment of the public debt which was so rapidly growing, and as early as February 22, 1862, they enacted what is now section 3694 of the Revised Statutes:

**Gold Interest Pledged.**

Sec. 3694. The coin paid for duties on imported goods shall be set apart as a special fund and shall be applied as follows:

First. To the payment in coin of the interest on the bonds and notes of the United States.

Second. To the purchase or payment of 1 per cent. of the entire debt of the United States, to be made within each fiscal year, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt, as the Secretary of the Treasury shall from time to time direct.

Third. The residue to be paid into the Treasury.

This was a promise to pay interest on our bonds in coin, and to provide for the gradual payment of the principal.

**Further Democratic Assaults on the Public Credit.**

This law has also been reviled and execrated by the Democracy, and legislative attempts to destroy its validity have been frequent, simply because a disregard of its provisions would amount to repudiation.

Its repeal during the war would have destroyed our credit and given success to the traitors in arms against us; hence the Democracy demanded its repeal during the war. Its repeal since the war would have dishonored us in the eyes of the whole world. Hence the Democracy demanded its repeal since the war.

**The War Ended—Leaving an enormous Indebtedness—The Dark Days of Debt and Doubt.**

Thanks to the valor of our soldiers, the patriotism of our people and the sagacity of our statesmen, the war was brought to a successful termination. Our public debt at that time was as follows.

Four percents	\$618,127 98
Five percents	268,175,727 65
Six percents	1,281,736,439 33
Seven and three-tenths per cent	830,000,000 00
Debt not bearing interest.....	\$2,381,530,294 96 463,119,331 60
Total.....	2,844,649,626 56
Less cash in the Treasury.....	88,218,055 13
Net debt	2,756,431,571 43
Annual interest charge.....	250,877,697 87

This was the highest point of indebtedness reached, and it was promptly determined to begin its reduction at once, and thus inspire our people with courage, and our creditors with confidence.



### Measures of Relief—Restoration of Credit and Confidence.

To that end the surplus revenues were applied to the reduction of the debt, and up to June 30, 1882, the aggregate reduction of interest bearing debt, was \$937,719,894, and in annual interest of \$96,199,893. About \$56,000,000 of this saving of interest has been in consequence of the reduction of the principal of the debt, and about \$40,000,000 has been in consequence of the improved credit of the government. The average interest on the debt at the close of the war was 6.6 per cent.; the average interest to-day is 3.8 per cent. The debt per capita at the close of the war was \$78.25; the debt per capita to-day is about \$30. The annual interest per capita was \$4.29 at the close of the war; to-day it is about \$1.

The result has been that year by year the people have grown stronger and more hopeful, and the holders of our securities more confident. The legal-tender notes gradually appreciated from 38 cents on the dollar in 1864 to 66 cents in 1866, 71 cents in 1867, 73 cents in 1869, and 85 cents in 1870.

### More Democratic Assaults on the Public Credit.

But the enemy was all this time at work to undermine the public credit. In the early days of the war the Democratic party began to appeal to ignorance and prejudice and arouse hostility to United States securities because they were not taxed; and again and again did they attempt to impose a tax upon them. The Constitution, as expounded by Chief Justice Marshall in 1819, "left no power to the States, by taxation, or otherwise, to retard, impede, burden, or in any manner control the operations of the constitutional laws enacted by Congress to carry into effect the powers vested in the national Government," and there had been since an unbroken line of decisions to the same end. But to save the public credit harmless against these attacks the Republican Congress was obliged to reaffirm in statutes this constitutional exemption. It did so twice in 1862, again in 1863, twice in 1864, twice in 1865, again in 1870. And section 3701 of the Revised Statutes—"all stocks, bonds, Treasury notes, and other obligations of the United States shall be exempt from taxation by or under State or municipal or local authority"—is a monument to the folly of the opposition and to the determined purpose of the Republican party to strengthen the credit of their country.

From 1867 onward there was a vigorous warfare waged against the coin character of the bonds, principal and interest. Again a Republican Congress came to the rescue of our imperiled

credit, and in March, 1869, to strengthen and establish it, enacted into law these provisions, now contained in section 3693 of the Revised Statutes:

The faith of the United States is solemnly pledged to the payment in coin or its equivalent of all the obligations of the United States not bearing interest, known as United States notes, and of all the interest-bearing obligations of the United States, except in cases where the law authorizing the issue of any such obligations has expressly provided that the same may be paid in lawful money or other currency than gold or silver. \* \* \* The faith of the United States is also solemnly pledged to make provision at the earliest practicable period for the redemption of the United States notes in coin.

Instantly upon the passage of this law the Democracy, in and out of Congress, aided by greenbackers, nationalists, communists, etc., etc., assailed it, and the assault has since been constant; but the law still stands as a monument to Republican fidelity to principle.

Then followed the re-funding acts of July, 1870, and January, 1871, by which the 5 per cent. bonds were refunded at  $4\frac{1}{2}$  and 4 per cent interest.

### The Resumption Act.

From this time to 1875 the legal tender notes were fluctuating between 82 and 92, and a Republican Congress determined that good faith required their payment, and on January 14, 1875, they passed "an act to provide for the resumption of specie payments."

SEC. 3 \* \* \* And on and after the 1st day of January, A. D. 1879, the Secretary of the Treasury shall redeem, in coin, the United States legal-tender notes then outstanding on their presentation for redemption at the office of the assistant treasurer of the United States in the city of New York, in sums of not less than \$10.

### Democratic determination to defeat the Dept.-payers—Resumption Ridiculed and Ruin Predicted.

From that day to the day set for resumption every possible combination was formed by the enemies of the government—the foes of public credit—against that law. The Democracy rushed into the embraces of the greenbackers, and gathered the communists into their arms. All sorts of dire calamities were predicted as a result of resumption, the total ruin of the government and the people being among the smallest. Scores of bills were introduced to repeal the act, and every campaign, State and National, was fought upon the issue.

### Resumption Accomplished.

But the Republican party stood by its guns, and on January 1, 1879, the resumption provided for by law became resumption in fact, and not a ripple disturbed the calm serenity of the finan-

cial waters. Greenbacks were as good as gold, and our bonds commanded a premium in all the money markets of the world.

**Unbounded Prosperity and unlimited Public Credit follow Resumption.**

The "widespread ruin" predicted by the Democracy did not come. The "sharks of Wall Street" did not make their predicted raid on the gold in the Treasury.

On the contrary, with resumption was opened a season of prosperity such as this country never before witnessed; and there are millions of dollars more of gold in the Treasury now than there were on the day of resumption.

That our credit abroad is greater than that of any other nation on earth is evinced by the fact that our four per

cents. command a heavy premium, whereas a bond bearing a lower rate of interest than four per cent. has never been sold at par in any country.

**An Unparalleled Achievement.**

In a word when the Republican party took possession of the government it found a bankrupt Treasury, whose bonds bore 12 per cent. interest, and sold at a discount; it carried the country through a long and bloody war at a cost of more than six thousand millions of dollars; and it has since restored the public credit so that its bonds, bearing 4 per cent interest, command a heavy premium, its 3 per cents. sell at par, and its legal tender notes are receivable at par with gold in every great commercial centre of the world.



## PART II.

## Analysis of the Principal of the Public Debt of the United States from July 1, 1856, to July 1, 1882.

Cents omitted.

Prepared at the Treasury Department, Warrant Division, Washington, D. C., July 1, 1882.

Year.	3 per cts. A.	4 per cts. **	4½ per cts.	5 per cts.	6 per cts.	7-10 per cents.	Total in- terest bear- ing debt.
1856—July 1.....				\$3,632,000	\$28,130,761		\$31,762,761
1857.....				3,489,000	24,971,908		28,460,908
1858.....				23,538,800	21,162,838		44,700,838
1859.....				37,127,800	21,162,938		58,290,738
1860.....				43,476,300	21,164,538		64,640,838
1861.....				33,022,200	57,358,673		90,380,873
1862.....		\$57,92,6116		30,483,000	154,313,225	\$122,582,485	365,304,826
1863.....		105,629,385		30,483,000	431,444,813	139,974,435	707,531,634
1864.....		77,547,696		300,213,480	842,882,652	139,286,935	1,359,930,763
1865.....		90,496,930		215,709,420	1,213,495,169	671,610,397	2,221,311,918
1865—August 31.....		618,127		269,175,727	1,281,736,439	830,000,000	2,381,530,294
1866—July 1.....		121,341,879		-01,982,665	1,195,546,041	813,460,621	2,332,331,207
1867.....		17,737,025		198,533,435	1,513,452,080	488,344,846	2,248,067,387
1868.....	\$64,000,000	801,361		221,588,300	1,878,303,984	37,397,196	2,202,088,727
1869.....	66,125,000			221,588,300	1,874,347,222		2,162,060,522
1870.....	59,550,000			221,588,300	1,765,317,422		2,046,455,722
1871.....	45,885,000	678,000		274,236,450	1,613,897,300		1,934,696,750
1872.....	24,665,000	678,000		414,567,300	1,374,883,800		1,814,794,100
1873.....	14,000,000	678,000		414,567,300	1,281,238,650		1,710,483,950
1874.....	14,000,000	678,000		510,628,050	1,213,624,700		1,738,930,750
1875.....	14,000,000	678,000		607,132,750	1,100,865,550		1,722,676,300
1876.....	14,000,000			711,685,800	984,999,650		1,710,685,450
1877.....	14,000,000		\$110,000,000	703,266,650	854,621,850		1,711,888,500
1878.....	14,000,000	98,850,000	24,000,000	703,266,650	738,619,000		1,794,735,650
1879.....	14,000,000	\$741,522,000	250,000,000	508,410,350	\$283,681,350		1,797,643,700
1880.....	14,000,000	739,347,800	250,000,000	484,864,900	235,780,100		1,723,993,100
1881.....	14,000,000	739,347,800	250,000,000	439,841,350	196,378,600		1,639,567,750
1882.....	14,000,000	739,349,350	250,000,000				1,463,810,400

A. The amount of 3½ per cents. in 1882 was \$460,461,050.

## PUBLIC DEBT ANALYSIS—Continued.

Year.	Annual interest charge.†	Debt on which in- terest has ceased.	Debt bear- ing no interest.	Outstand- ing prin- cipal.	Cash in the Treas- ury July 1.	Total debt less cash in Treasury.	Popula- tion of United States.‡	Debt per cap- ita.	Inter- est per capita.
1856—July 1.....	\$1,869,445	\$209,776		\$31,972,537	\$21,006,584	\$10,965,953	28,083,000	\$0.36	39.07
1857.....	1,672,767	238,872		28,699,831	18,701,210	9,998,621	28,916,000	35	06
1858.....	2,446,670	211,042		44,911,881	7,011,689	37,900,191	29,753,000	28	07
1859.....	3,126,166	206,093		58,496,837	5,091,603	53,405,234	30,596,000	1.75	10
1860.....	3,443,687	201,449		64,842,287	4,877,885	59,964,402	31,443,321	1.91	11
1861.....	5,092,630	199,999		90,580,873	2,862,212	87,718,660	32,064,000	2.74	16
1862.....	22,048,509	280,195	\$158,591,390	524,176,412	18,863,659	505,312,752	32,704,000	15.45	67
1863.....	41,854,148	473,048	411,767,456	1,119,772,138	8,421,401	1,111,350,737	33,365,000	33.31	1.25
1864.....	78,853,487	146,335	455,437,271	1,815,784,370	106,332,093	1,709,452,277	34,046,000	50.21	2.32
1865.....	137,742,617	1,245,771	458,090,180	2,680,647,869	5,832,012	2,674,815,856	34,748,000	76.98	3.97
1865 August 31.....	150,977,697	1,503,020	461,616,311	2,844,649,626	8,218,055	2,736,431,571	35,228,000	78.25	4.29
1866 July 1.....	146,068,196	930,615	429,969,874	2,773,236,173	137,200,009	2,636,036,163	35,469,000	74.32	4.12
1867.....	138,892,451	1,840,615	428,218,101	2,678,126,103	169,974,892	2,508,151,211	36,211,000	69.26	3.84
1868.....	128,459,598	1,197,340	408,401,782	2,611,687,851	130,834,437	2,480,853,413	36,973,000	67.10	3.48
1869.....	125,523,998	1,260,181	421,131,510	2,588,452,213	155,680,340	2,432,771,873	37,756,000	64.43	3.82
1870.....	118,784,960	3,708,641	430,508,064	2,480,672,427	139,502,471	2,341,169,956	38,558,371	60.81	3.08
1871.....	111,949,330	1,918,902	416,565,680	2,353,211,332	106,217,263	2,246,994,068	39,555,000	56.46	2.83
1872.....	103,988,463	7,926,797	430,530,431	2,253,251,328	103,470,798	2,149,780,530	40,595,000	52.96	2.56
1873.....	98,019,804	51,929,710	472,069,332	2,234,482,993	129,020,932	2,105,462,060	41,676,000	50.52	2.35
1874.....	98,796,004	3,216,590	509,543,128	2,251,690,465	147,541,314	2,104,149,153	42,755,000	49.17	2.31
1875.....	96,855,690	11,425,820	498,182,411	2,232,284,531	142,243,361	2,090,041,170	43,999,000	47.56	2.20
1876.....	95,104,269	3,902,420	465,807,196	2,180,395,067	119,469,726	2,060,925,340	45,135,000	45.66	2.11
1877.....	93,160,643	16,648,860	476,764,031	2,205,301,392	186,025,960	2,019,275,431	46,351,000	43.56	2.01
1878.....	94,654,472	5,594,560	455,875,682	2,256,205,892	256,823,612	1,999,382,280	47,595,000	42.01	1.91
1879.....	\$33,773,778	37,015,630	410,835,741	2,245,495,072	249,080,167	1,996,414,905	48,863,000	40.86	1.79
1880.....	79,693,981	7,621,455	388,800,815	2,120,413,370	201,088,622	1,919,324,747	50,153,000	38.27	1.59
1881.....	75,018,695	9,723,865	422,721,954	2,069,013,569	249,363,115	1,819,650,454	51,462,000	35.36	1.46
1882.....	\$7,360,110	16,260,805	438,241,788	1,918,312,994	243,289,519	1,675,023,474	52,799,000	31.72	1.99

(Notes to preceding Table.)

\* Five and six per cent. bonds issued under act of July 17 and August 5, 1861; March 3, 1863, July 14, 1870, and January 20, 1871, continued at three and a half per cent.

† The annual interest-charge is computed upon the amount of outstanding principal at the close of the fiscal year, and is exclusive of interest-charge on Pacific-Railway bonds.

‡ The statement of population for 1860, 1870, and 1880 is by enumeration, and for other years from estimates prepared by Professor E. B. Elliot, Government Actuary.

§ The figures for July 1, 1879, were made up, assuming pending funding operations to be completed.

\*\* The Temporary Loan, per act of July 11, 1862, is included in the 4 per cents, from 1862 to 1865, inclusive, with the exception of the amount outstanding for August 31, 1865, this being the date at which the public debt reached its highest point. This loan bore interest from 4 per cent. to 6 per cent., and was redeemable on ten-days' notice after 30 days; but being constantly changing, it has been considered more equitable to include the whole amount outstanding as bearing 4 per cent. interest on an average for the year.

‡ The monthly interest charge has therefore been reduced from \$12,581,474, in 1865, to \$4,780,009 in 1882.

## PART III.

### Analysis of Foregoing Table.

**Character of the Debt bearing Interest—The Funding of the 5 and 6 per cent. Bonds by Secretary Windom—An Annual Saving to the Nation of \$10,473,952.25!**

The debt bearing 3 per cent. interest is that known as the Navy Pension Fund, the interest on which is payable in lawful money, and its use confined to the payment of naval pensions exclusively.

When the administration of General Garfield came into power there were outstanding \$469,320,650 in United States bonds bearing 5 per cent. interest, and \$202,266,550, bearing interest at 6 per cent. These bonds were redeemable at the pleasure of the Government after June 30, 1881, and Congress having adjourned without providing for their retirement, Secretary Windom immediately upon his accession to office, took steps to reduce the annual rate of interest with such success that within the next few months the holders of the greater portion of the bonds mentioned above, requested their continuance during the pleasure of the Government at 3½ per cent. interest per annum.

The amount of 6 per cent. bonds continued under this arrangement was \$178,055,150, and of 5 per cent. bonds \$401,504,900, thus effecting an annual saving of interest amounting to \$10,473,952.25 by this single operation, while at the same time the surplus revenues of the Government have been devoted to the redemption of the remaining 5 and 6 per cent. bonds outstanding.

It will be seen that there are no bonds outstanding at the present time, on which the Government is paying a higher rate of interest than 4½ per cent.

**Reduction of Debt and Saving of Interest—Debt Reduced since 1865 \$943,926,544.96—Annual Interest charge Reduced \$94,534,809.37—Grand Total**

**of Savings to Government by the Republicans \$1,673,798,471.34.**

The total interest bearing debt on the 31st of August, 1865—that is, at the close of the rebellion and the date on which the national debt reached its highest point—was \$2,381,530,294.96; the annual interest charge upon which was \$150,977,697.87. Immediately, upon the close of the war, the work of reducing the debt, both principal and interest, was begun by the Republicans, and the re-funding operations, which began in 1871, have reduced the annual interest charge year by year, so that the total amount of interest saved during the seventeen years amounts to \$729,871,926.38.

From August 31, 1865, to August 31, 1882, the interest-bearing principal of the debt has been reduced \$943,926,544.96, and the annual interest charge has been reduced during the same period \$94,534,809.37, with every prospect at this present writing of a still further reduction of at least \$1,500,000 per annum, by the refunding operations now in progress under the recent law authorizing the issue of 3 per cents.

The reduction of the interest-bearing debt, amounting to \$943,926,544.96, added to the amount of interest saved by such reduction and by the refunding operations, make a grand total of \$1,673,798,471.34 saved by the Republicans in control of the Government in the seventeen years since 1865.

## Resumption.

**Principal of Debt reduced since January 1, 1879, \$372,209,100, and Annual, Interest Charge \$37,809,216—Available cash in Treasury August 31, 1882 \$242,960,518.46—Reduction of Debt under President Arthur \$126,701,450.**

The resumption act of January 14, 1875, went into operation January 1, 1879.

The interest-bearing debt of the United States at that time amounted to \$1,823,812,850, at an annual interest charge of \$94,252,104.50, and available



cash in the treasury amounting to \$273,-896,027.75.

From January 1, 1879, to August 31, 1882, the interest-bearing principal of the debt has been reduced \$372,209,-100—the annual interest charge reduced \$37,809,216.00; and the available cash in the treasury at the latter date was \$242,-960,518.46.

The reduction in the interest-bearing principal from March 1, 1881, to August 31, 1882, was \$237,331,250, with a reduction of the annual interest charge during the same period of \$20,403,049.00.

Under President Hayes the interest-bearing principal of the debt was reduced \$38,826,450. To this should be added \$95,500,000—being coin received for an equivalent in bonds sold for redemption purposes, and the reduction amounts to \$134,326,450.

Under President Garfield, during the administration of the finances by Secretary Windom, from March 31, to November 30, 1881, the reduction of the interest-bearing principal was \$99,012,050.

Under President Arthur, during the 9 months from November 30, 1881, to August 31, 1882, Secretary Folger has reduced the interest-bearing principal \$126,701,450.

#### Explanation of Annual Interest Charge Column of above Table.

The figures opposite the several years in the column headed "Annual Interest Charge" embrace only the actual interest accruing on the outstanding principal bearing interest during the year. Take the year 1870 for illustration. As shown in the table, the total interest-

bearing debt on the 1st of July, 1870, was \$2,046,455,722.39; the interest upon which, accruing during the following fiscal year, was as follows:

\$59,550,000, at 3 per cent. int. ....	\$1,786,500 00
221,588,300, at 5 per cent. int. ....	11,079,415 00
1,765,317,422, at 6 per cent. int. ....	105,919,045 34
2,046,455,722	118,784,960 34

As stated in the column of "Annual Interest Charge" as the current interest of the year.

**The Debt Per Capita—In 1860 the Interest Per Capita only 11 cents—In 1865, as the Result of Democratic Rebellion, the Interest Per Capita \$4.29—In 1882, as the Result of Republican Honesty and Thrift the Interest Per Capita only \$1.09.**

In 1860 the total interest-bearing debt of the nation was less than \$65,000,000, and the annual tax on each individual for the payment of that interest was only 11 cents. Here, the Democracy precipitated the rebellion. As a consequence the debt of the nation increased rapidly until in August, 1865, at the close of hostilities, it amounted to \$2,-381,530,294.96, and the annual cost to each individual for the payment of interest on this enormous burden was \$4.29! But the Republicans in authority, in Congress and the executive branch of the Government, by the reduction of the interest-bearing debt and interest, as explained above, have also reduced the cost per capita to meet the interest on public debt, since 1865, from \$4.29 to \$1.09!

#### The Bonds are Held by the People.

The following statement shows the amount of *registered* bonds outstanding at the time of payment of the last quarterly dividend of interest, by whom the bonds were held, the amount of interest paid quarterly, and the number of interest checks drawn for the payment of such interest each quarter. From this it will be seen that out of \$1,144,310,350 registered bonds outstanding at the date named, less than \$30,000,000 are held by foreign investors. The coupon bond of the 4½ per cent. and 4 per cent. loans are believed to be yet more widely distributed.

By whom held.	Funded loan of ½ per cent. 1891.	Funded loan of 4 per cent. 1907.	Funded loan of 3½ per cent. 1881 continued.	Totals.
	A.	B.	C.	
Foreign holders.....	4,821,050	8,029,400	17,046,250	29,896,700
National banks.....	32,285,900	104,402,800	211,021,200	348,709,900
Domestic holders.....	185,823,900	446,043,300	173,436,450	765,793,750
Total.....	183,430,850	559,375,600	401,503,900	1,144,310,350
Amount of interest paid quarterly.....	\$2,063,597 06	5,593,756	\$3,513,159 12	\$11,170,512 18
Number of checks drawn quarterly.....	11,961	51,443	11,607	75,011

## PART IV.

## August Statement of the Public Debt.

Statement of the Public Debt of the United States for August 31, 1882.

## INTEREST-BEARING DEBT.

Title of Loan.	Rate.	When Redeemable.	Total amount outstanding.	Interest due and Unpaid.	Accrued Interest.
Loan of 1863, ('81's)....	6 per ct. cont'd at 3½ per ct.	June 30. 1881.	\$82,755,400 00	\$21,014 63	\$191,073 17
Funded Loan of 1881....	5 per ct. do. do. do.	May 1, 1881.	401,496,900 00	562,195 35	1,171,032 62
Funded Loan of 1891....	4½ per ct. do. do. do.	Sept. 1, 1891.	250,000,000 00	209,418 40	2,812,500 00
Funded Loan of 1907....	4 per ct. do. do. do.	July 1, 1907.	738,909,350 00	1,077,776 63	4,926,062 33
Refunding Certificates....	1 per ct. do. do. do.		442,100 00	55,675 06	2,947 35
Navy-Pension Fund....	3 per ct. do. do. do.		14,000,000 00		70,000 00
Aggregate of Interest-bearing Debt.....			1,487,603,750 00	1,926,080 07	9,173,615 45

## RECAPITULATION.

		Principal.	Interest.	Totals.
Interest-bearing debt—Bonds at 6 per cent. cont'd at 3½ per ct.	\$82,755,400 00			
Bonds at 5 per cent. cont'd at 3½ per ct.	401,496,900 00			
Bonds at 4½ per cent.	250,000,000 00			
Bonds at 4 per cent.	738,909,350 00			
Refunding Certificates	442,100 00			
Navy-Pension Fund.	14,000,000 00			
Debt on which interest has ceased since maturity.....		\$1,437,603,750 00	\$11,099,695 52	
Debt bearing no int.—Old Demand and Legal tender Notes.....	346,740,611 00	12,472,725 26	500,251 91	
Certificates of Deposit..	12,000,000 00			
Gold and Silver Certificates.	74,432,250 00			
Fractional Currency...	7,032,066 77			
Unclaimed Pacific Railroad Interest.....		440,204,927 77	5,339 46	
Total Debt.....		1,890,281,403 03	11,605,287 39	\$1,901,886,690 42
Total Cash in the Treasury.....				242,950,518 46
Debt, less Cash in the Treasury, Sept. 1, 1882.				1,658,926,171 96
Debt, less Cash in the Treasury, Aug. 1, 1882.				1,675,044,333 20
Decrease of Debt during the month.....				16,128,261 24
Decrease of Debt since June 30, 1882.....				\$20,988,988 76

## Interest accrued but unpaid at close of each Fiscal Year.

The following table shows the interest due and accrued but unpaid at the close of each fiscal year since 1870:

July 1, 1870 .....	\$50,607,556
July 1, 1871 .....	45,036,766
July 1, 1872 .....	41,705,813
July 1, 1873 .....	42,356,652
July 1, 1874 .....	38,939,087
July 1, 1875 .....	38,647,556

July 1, 1876 .....	38,514,004
July 1, 1877 .....	40,882,791
July 1, 1878 .....	36,404,551
July 1, 1879 .....	30,792,351
July 1, 1880 .....	22,845,547
July 1, 1881 .....	20,948,657
July 1, 1882 .....	13,890,986

Showing a decrease, since 1870, of the accrued and unpaid interest at the close of the fiscal year of \$36,716,570.



## PART V—The Currency:

## Statement Showing the Amount of Notes and Fractional Silver Coin Outstanding at the Close of Each Fiscal Year from 1860 to 1882 inclusive.

Prepared at the Treasury Department, Warrant Division, August 31, 1882.

Year.	State-Bank Circulation. (a.)	National Bank Circulation.	Demand Notes.	Legal-tender Notes.	One and Two Year Notes of 1863, (b.)	Compound-Interest Notes.
1860.....	\$207,102,477 00					
1861.....	202,005,767 00					
1862.....	183,792,079 00		\$53,040,000 00	\$96,620,000 00		
1863.....	238,677,218 00		3,351,019 75	297,767,114 00	\$89,879,475 00	
1864.....	179,157,717 00	\$31,235,270 00	780,999 25	431,178,670 84	153,471,450 00	\$15,000,000 00
1865.....	142,919,638 00	146,137,860 00	472,603 00	432,687,966 00	42,338,710 00	193,756,080 00
1866.....	19,996,163 00	281,479,908 00	272 162 00	400,619,206 00	3,454,230 00	159,012,140 00
1867.....	4,484,112 00	298,625,379 00	208,432 00	371,783,597 00	1,123,630 00	122,394,480 00
1868.....	3,163,771 00	299,762,855 00	141,723 00	356,000,000 00	555,462 00	28,161,810 00
1869.....	2,558,874 00	299,929,624 00	123,739 25	356,000,000 00	347,772 00	2,871,410 00
1870.....	2,222,793 00	299,766,984 00	106,256 00	356,000,000 00	248,272 00	2,152,910 00
1871.....	1,968,058 00	318,261,241 00	96,505 50	356,000,000 00	198,572 00	768,500 00
1872.....	1,700,935 00	337,664,795 00	88,296 25	357,500,000 00	167,522 00	593,520 00
1873.....	1,294,470 00	347,267,061 00	79,967 50	356,000,000 00	142,105 00	479,400 00
1874.....	1,039,021 00	351,981,032 00	76,732 50	382,000,000 00	127,625 00	415,210 00
1875.....	786,844 00	354,408,008 00	70,107 50	375,771,580 00	113,375 00	367,390 00
1876.....	658,938 00	332,998,336 00	66,917 50	369,772,284 00	104,705 00	328,760 00
1877.....	521,611 00	317,048,872 00	63,962 50	359,764,332 00	95,725 00	296,630 00
1878.....	426,504 00	324,514,284 00	62,297 50	346,681,016 00	90,485 00	274,920 00
1879.....	352,452 00	329,691,697 00	61,470 00	346,681,016 00	86,185 00	259,030 00
1880.....	299,790 00	314,505,427 00	60,975 00	346,681,016 00	82,485 00	242,590 00
1881.....	242,967 00	355,042,675 00	60,535 00	346,681,016 00	79,985 00	230,250 00
1882.....	235,173 00	358,742,034 00	59,695 00	346,681,016 00	74,965 00	220,960 00

TABLE CONTINUED.

Year.	Silver Certificates.	Fractional Currency, Paper.	Fractional Currency, Silver. (c.)	Total amount in Currency.	Value of Paper Dollar as compared with Gold July 1 of each year.	Value of Currency in Gold.
1860.....				\$207,102,477 00		
1861.....				202,005,767 00		
1862.....				333,452,079 00	\$0 86.6	\$288,769,500 41
1863.....	\$20,194,456 00			649,867,282 75	0 76.6	497,798,338 59
1864.....	22,894,877 25			833,718,981 34	0 38.7	322,649,246 94
1865.....	25,005,828 76			983,318,685 76	0 70.4	692,256,354 77
1866.....	27,070,876 96			891,904,685 96	0 66.0	588,657,092 73
1867.....	28,307,523 52			826,927,153 52	0 71.7	592,906,769 07
1868.....	32,626,951 75			720,412,602 75	0 70.1	505,009,234 52
1869.....	32,114,637 36			693,946,056 61	0 73.5	510,050,351 61
1870.....	39,878,681 48			700,375,899 48	0 85.6	599,521,769 95
1871.....	40,582,874 56			717,875,751 06	0 89.0	638,909,418 44
1872.....	40,855,835 27			738,570,903 52	0 87.5	646,249,540 58
1873.....	44,799,365 44			750,062,368 94	0 86.4	648,053,886 76
1874.....	45,881,295 67			781,490,916 17	0 91.0	711,156,738 71
1875.....	42,129,424 19			773,646,728 69	0 87.2	674,619,947 42
1876.....	34,446,595 39	\$10,926,998 00		749,303,473 89	0 89.5	671,773,937 62
1877.....	20,403,137 34	33,185,273 00		731,379,542 84	0 94.7	694,375,246 54
1878.....	51,462,600 00	16,547,768 77	39,155,633 00	729,215,508 27	0 99.4	725,083,924 62
1879.....	2,466,950 00	15,842,605 78	39,360,529 00	734,801,994 78	1 00.0	734,801,994 78
1880.....	12,274,270 00	*7,214,954 37	24,061,449 00	735,522,956 37	1 00.0	735,522,956 37
1881.....	51,166,530 00	*7,105,953 32	19,974,897 41	780,584,808 73	1 00.0	780,584,808 73
1882.....	66,096,710 00	*7,047,247 77	19,130,639 36	798,288,440 13	1 00.0	798,288,440 13

(a.)—The amount of State and national-bank circulation is compiled from the reports of the Comptroller of the Currency at the nearest dates obtainable to the end of each fiscal year; the other amounts are taken from the official printed reports of the Secretary of the Treasury.

\*Exclusive of \$8,375,934, amount estimated as lost or destroyed, act June 21, 1879.

(b.)—The one and two-year notes of 1863, and the compound-interest notes, though having a legal-tender quality for their face-values, were in fact interest-bearing securities, payable at certain times, as stated on the notes. They entered into circulation for but a few days, if at all, and, since maturity, those presented have been converted into other interest-bearing bonds, or paid for in cash, interest included.

(c.)—The amount of fractional silver in circulation in 1860, 1861, and 1862 cannot be stated. The amounts stated for 1876, and subsequent years, are the amounts coined and issued since January, 1876. To these amounts should be added the amount of silver previously coined which has come into circulation.

The following statement shows the *average rate of interest* payable annually on the interest-bearing debt of the United States for the years named.

July 1, 1856.....	.0588
" 1857.....	.0587
" 1858.....	.0547
" 1859.....	.0536
" 1860.....	.0532
" 1861.....	.0563
" 1862.....	.0603
" 1863.....	.0591
" 1864.....	.0579
" 1865.....	.0620
Aug. 31, 1865.....	.0634
July 1, 1866.....	.0626
" 1867.....	.0617
" 1868.....	.0583

July 1, 1869.....	.0580
" 1870.....	.0580
" 1871.....	.0578
" 1872.....	.0573
" 1873.....	.0573
" 1874.....	.0568
" 1875.....	.0562
" 1876.....	.0556
" 1877.....	.0544
" 1878.....	.0527
" 1879.....	.0466
" 1880.....	.0462
" 1881.....	.0457
" 1882.....	.0390

**Amount of Currency to Each Individual**  
**—In 1860 only \$6.58 to each Individual**  
**—In 1882 \$15.12 to Each Individual.**

In 1860 the population of the country was 31,443,321, and the amount of currency was \$207,102,477.00 or \$6.58 for each individual. In 1882 the population is estimated to be 52,799,000, and the amount of currency is \$798,288,440.13; or \$15.12 for each individual.

**Interest-Bearing Notes were in Circulation—Aggregate Currency in 1865 \$51,065,544 less than the Aggregate of Circulation in 1882—No Scarcity of Money.**

The one and two year notes of 1863 and the compound interest notes were never in circulation to any extent, be-

cause they bore interest, but they are considered in the foregoing statement as being part of the currency of the country. If they be taken from the amount of the currency—say of 1865—it will be seen that the circulating medium for that year, instead of being \$983,318,685.76, was only \$747,223,895.76; or \$51,064,544.37 less than it is now. But the real value of the actual circulation of 1865, less the amount of the interest-bearing notes, at the gold standard, was only about \$526,045,622.61, while the actual value of the present circulation is \$798,288,440.13; and these facts demonstrate that, if there is any scarcity or money among the people at the present time, it is due to commercial reasons and not to the policy of the Government.



## Receipts and Expenditures of the Government from 1855 to 1882.

## Recapitulation of Net Revenue by Fiscal Years.

Year.	Customs.	Internal revenue.	Direct tax.	Sale of public lands.	MISCELLANEOUS SOURCES,		Net revenue.	Surplus revenue.
					Premiums on loans and sales of gold	Other miscellaneous items.		
1856	\$64,022,863 50	.....	.....	\$8,917,644 93	.....	\$1,116,190 81	\$74,056,699 24	\$4,485,673 45
1857	63,875,905 05	.....	.....	3,890,486 64	.....	1,259,920 83	68,965,312 57	1,169,604 91
1858	41,789,629 96	.....	.....	3,513,715 87	.....	1,352,029 13	46,655,365 96	*97,529,594 43
1859	49,557,824 38	.....	.....	1,756,687 30	\$700,357 72	1,454,596 24	53,486,465 64	*15,584,511 10
1860	53,187,511 87	.....	.....	1,778,557 71	10,008 00	1,088,530 25	56,064,607 83	*7,065,990 56
1861	39,589,125 64	.....	.....	870,658 54	33,630 90	1,023,515 31	41,509,930 30	*25,036,714 50
1862	49,056,397 69	.....	.....	159,203 77	68,400 00	915,122 31	51,987,455 43	*422,774,363 48
1863	69,650,649 46	\$87,640,787 95	\$1,705,331 73	167,617 17	692,345 44	3,741,794 33	112,897,290 95	*602,043,434 92
1864	102,316,152 99	103,141,134 15	1,483,103 61	598,333 29	91,174,101 91	30,331,401 25	964,624,771 60	*600,695,870 37
1865	84,928,204 60	203,164,215 25	1,473,618 96	996,553 31	11,683,416 89	95,411,556 00	333,714,605 08	*963,840,619 33
1866	170,046,631 53	369,226,813 42	1,200,573 02	655,091 03	38,083,055 68	29,036,314 22	553,624,690 06	37,223,203 07
1867	170,417,810 58	266,027,557 45	4,200,293 75	1,163,575 76	97,787,330 36	13,947,522 15	490,634,010 27	133,091,535 11
1868	164,461,339 56	191,057,389 41	1,783,149 85	1,343,115 41	29,203,623 50	17,745,338 65	406,638,083 32	98,997,798 46
1869	180,938,426 63	158,556,460 86	769,063 61	4,020,344 34	13,765,491 12	13,997,338 65	370,193,747 97	48,078,469 31
1870	194,635,574 44	184,690,756 49	229,102 88	3,330,481 76	13,255,643 76	12,932,118 00	411,355,477 63	91,116,756 64
1871	206,270,408 05	143,098,153 63	580,358 37	2,385,646 68	8,892,839 95	22,003,551 21	383,324,944 89	96,368,804 89
1872	176,670,286 77	136,612,177 72	.....	2,375,714 19	3,412,667 65	15,106,651 23	374,106,867 56	96,368,804 89
1873	188,683,522 76	113,720,314 14	315,254 51	2,882,312 38	11,560,530 89	17,161,270 05	358,738,204 67	43,362,852 30
1874	163,103,833 69	102,409,781 90	.....	1,832,428 93	5,607,665 22	17,075,042 73	289,473,755 47	2,344,882 90
1875	137,167,722 35	110,007,493 58	.....	1,413,640 17	3,979,279 69	15,431,515 31	288,003,051 10	13,376,656 26
1876	148,071,984 61	116,700,732 63	93,798 80	1,120,466 95	4,029,280 58	17,436,776 19	237,643,639 16	23,022,241 53
1877	139,958,193 07	113,630,407 83	.....	976,262 68	405,776 58	18,031,655 46	269,000,586 62	30,346,577 69
1878	130,176,689 20	110,381,624 74	.....	1,073,743 37	317,102 30	15,614,728 69	273,527,184 46	6,871,300 33
1879	137,234,047 70	113,361,610 58	30 85	924,781 06	1,505,047 63	20,585,697 49	273,527,184 46	6,871,300 33
1880	186,522,054 60	124,009,373 92	.....	1,016,506 60	110 00	21,978,525 01	333,526,610 98	65,883,653 20
1881	194,153,676 02	135,264,385 51	1,516 39	2,201,863 17	.....	25,154,850 98	360,754,232 57	100,069,404 98
1882	220,410,730 25	146,457,595 45	160,141 69	4,733,140 37	.....	31,703,642 52	400,625,250 28	145,543,810 71

\* Expenditures in excess of revenue.

## Recapitulation of Net Ordinary Expenditures by Fiscal Years.

Year.	CIVIL AND MISCELLANEOUS.		War Department.	Navy Department.	Indians.	Pensions.	Interest on public debt.	Net ordinary expenditures.
	Premium on loans and purchase of bonds, &c.	Other civil and miscellaneous items.						
1866	\$883,372 90	\$32,124,214 97	\$16,948,196 89	\$14,091,781 06	\$2,769,429 55	\$1,298,208 95	\$1,953,822 37	\$69,571,025 79
1867	563,372 90	28,164,532 97	19,261,774 16	12,747,976 83	4,267,543 07	1,312,043 01	1,678,207 23	67,795,707 06
1868	574,443 98	26,420,609 57	25,485,383 60	13,984,551 09	4,926,788 91	1,217,488 47	1,507,065 67	74,185,270 89
1869	.....	29,720,905 14	33,243,892 38	14,642,989 73	6,025,927 24	1,220,338 29	2,638,463 96	69,070,576 74
1870	.....	27,976,634 22	16,469,707 10	11,514,934 96	9,949,191 34	1,102,926 15	3,177,314 62	63,130,598 39
1871	.....	23,267,010 40	22,381,150 44	12,430,887 89	9,841,358 98	1,036,064 06	4,000,173 76	66,546,644 89
1872	.....	21,408,491 16	394,368,407 36	42,668,227 09	2,973,223 45	853,095 40	13,190,324 45	474,701,818 91
1873	.....	23,256,965 39	591,298,000 83	63,221,563 04	3,154,357 11	1,078,991 59	24,729,846 61	714,740,727 17
1874	.....	27,906,599 46	690,791,842 97	85,725,394 67	2,023,858 77	1,083,924 13	53,685,431 69	865,392,641 97
1875	.....	43,047,658 01	1,031,323,360 79	122,612,945 29	3,154,357 11	1,083,924 13	77,397,712 00	1,297,555,224 41
1876	1,717,200 11	43,047,658 01	284,449,701 82	43,324,118 52	2,023,858 77	1,083,924 13	53,685,431 69	865,392,641 97
1877	58,476 51	41,056,961 54	95,224,415 63	31,034,011 04	4,642,531 77	20,930,531 71	143,784,051 91	537,542,675 16
1878	10,813,349 38	51,110,223 72	123,246,648 62	25,775,502 72	4,040,682 32	23,782,380 78	130,694,242 80	372,865,277 80
1879	7,001,451 04	53,009,867 67	78,501,900 61	20,000,767 97	7,042,923 06	28,340,262 17	129,235,498 00	309,653,560 00
1880	1,674,680 05	56,474,061 53	57,655,675 40	21,780,229 87	3,407,338 15	34,443,894 88	125,576,565 93	292,177,188 25
1881	15,996,555 60	53,237,461 56	35,799,991 82	19,431,027 21	7,426,997 44	28,350,426 86	104,750,688 44	290,345,245 33
1882	9,016,794 74	60,984,757 42	35,372,157 20	21,249,809 99	7,061,728 82	28,533,402 76	117,357,869 72	277,517,962 67
1883	6,958,266 76	69,328,110 06	42,313,927 22	30,932,587 42	7,951,704 88	29,038,414 66	107,119,815 21	287,133,873 17
1884	5,105,919 99	73,328,110 06	49,341,593 62	30,932,587 42	6,692,462 09	29,450,216 22	103,093,544 57	274,623,392 81
1885	1,936,073 55	71,070,702 98	41,190,645 98	21,497,626 27	5,966,558 17	28,257,395 69	100,243,271 23	258,459,797 33
1886	.....	60,958,373 78	38,070,888 64	18,963,309 82	5,927,007 22	27,963,752 27	97,124,511 58	238,660,008 93
1887	.....	56,252,066 00	37,082,735 90	14,959,935 36	4,629,980 28	27,137,019 08	102,500,874 65	236,964,326 80
1888	.....	53,171,703 57	32,104,147 85	17,365,301 37	5,206,109 08	35,121,482 39	105,327,949 00	246,947,883 53
1889	.....	65,741,555 49	40,425,660 73	15,125,126 84	5,945,157 09	35,777,674 44	95,757,575 11	247,642,957 78
1890	2,795,320 42	54,713,529 76	38,116,916 22	13,536,394 74	6,514,161 09	50,559,279 62	82,508,741 18	260,712,887 59
1891	1,061,248 78	64,410,324 71	40,466,460 55	15,686,671 66	9,736,747 40	61,345,193 95	71,077,206 79	257,931,439 57
1892	.....	57,219,750 98	43,570,494 19	15,692,046 26	.....	.....	.....	.....

NOTE.—The expenditures for interest on the public debt include amounts paid for interest on bonds issued to the Pacific Railroads, as follows: In 1866, \$49,227.04; in 1867, \$34,786.47; in 1868, \$45,028.35; in 1869, \$1,794,827.65; in 1870, \$4,484,369.25; in 1871, \$3,874,145.58; in 1872, \$3,877,387.02; in 1873, \$3,874,710.72; in 1874, \$3,862,350.72; in 1875, \$3,883,950.72; in 1876, \$3,861,250.72; in 1877, \$3,890,258.53; in 1878, \$3,578,970.72; in 1879, \$3,874,830.72; in 1880, \$3,878,250.72; in 1881, \$3,878,441.24; in 1882, \$3,875,430.72.

TREASURY DEPARTMENT, WARRANT DIVISION,  
August 20, 1892.



## PART VI.

**Aggregate and Annual Reduction of Expenses.**

**Aggregate Reduction in 12 years under the Republicans of \$250,491,279.28, or an average Annual Reduction for 12 years of \$20,957,606.60 !**

With results so great and beneficial in behalf of Government and people—upholding the national integrity and maintaining and sustaining the public credit at home and abroad; the reduction of the interest-bearing debt and of interest, aggregating a saving in seventeen years of \$1,673,798,471.34, or an annual average reduction and saving for seventeen years of \$98,458,733.61; the resumption of specie payments, the restoration of the paper dollar of our currency to the gold standard, securing at the same time a robust revival of nearly all branches of our previously languishing industries, opening out and securing new markets at home and abroad for their products, and commanding an immense preponderance in our favor, hundreds of millions annually, in our foreign trade—with financial triumphs so grand and beneficial, the product of Republican patriotism and ability, of the good faith of the Republicans in authority, and accomplished in despite of all the craft and determined hostility of the Democratic and other enemies of the Republic, the expenditures or expenses of Government have also been steadily reduced.

The following table, prepared from the Finance Reports, shows the aggregate and average annual saving to the people from a reduction of expenses from 1865 to 1882.

*Net ordinary expenses of the Government, exclusive of the public debt, premium and interest, with the reduction of the same from 1865 to 1882.*

1865..	\$1,217,704,199 28..	Maximum.	
1866..	385,954,731 43..	Reduction..	\$831,749,467 85
1867..	202,947,733 87..	Reduction..	183,006,997 56
1868..	229,915,088 11..	Increase....	26,967,354 24
1869..	190,496,354 95..	Reduction..	39,418,733 16
1870..	164,421,507 15..	Reduction..	26,074,847 80
1871..	157,583,827 58..	Reduction..	6,837,679 57
1872..	153,201,856 19..	Reduction..	4,381,971 39
1873..	180,488,636 90..	Increase....	27,286,780 71
1874..	194,118,985 00..	Increase....	13,630,348 10
1875..	171,529,848 27..	Reduction..	22,589,136 73
1876..	164,857,813 36..	Reduction..	6,672,034 91
1877..	144,209,963 28..	Reduction..	20,647,850 08
1878..	134,463,452 15..	Reduction..	9,746,511 13
1879..	161,619,934 53..	Increase....	27,156,482 38
1880..	169,090,062 25..	Increase....	7,470,127 72
1881..	177,142,897 63..	Increase....	8,052,835 38
1882..	186,904,232 78..	Increase....	9,761,335 15

Aggregate reduction from 1865 to 1882 of.....	\$30,799,966 50
Aggregate reduction from 1866 to 1882 of.....	199,050,498 65
Average annual reduction and savings from 1866 to 1882 of.....	12,440 656 16

An aggregate reduction in 17 years,

from 1865 to 1882, of \$1,030,799,966.50—an aggregate reduction in 16 years, from 1866, the year following the maximum of annual expenditures, to 1882, of \$199,050,498.56, or an annual average reduction and saving of \$12,440,656.16.

But if we strike from the above table, as we justly should, the aggregate of four years' increase (1879, 1880, 1881, and 1882) under the Democracy, we have an actual aggregate saving in twelve years under the Republicans of \$251,491,279.28, or an average annual saving for twelve years of \$20,957,606.60.

**Receipts and Expenditures prior to 1861 only 13.08 per cent. of the Amounts collected and disbursed from July 1, 1861, to June 30, 1882.**

The whole amount of money received by the Government as shown by the official records to have been covered into the National Treasury from March 4, 1789, to June 30, 1861, amounted to \$2,263,660,610.68, and from July 1, 1861, to June 30, 1882, to \$17,304,799,322.76.

These figures show that the total receipts from the organization of the Government to the commencement of the administration of the Republican party (a period of 78½ years) were only 13.08 per cent. of the amount received during the present party administration of 21 years.

The gross expenditures from the National Treasury for all purposes from March 4, 1789, to June 30, 1861, amounted to \$2,230,947,173.21, and from July 1, 1861, to June 30, 1882, to \$17,059,399,990.17, or a total expenditure for the first period of 78½ years of only 13.08 per cent. of the latter period.

In other words, the amount of money received and disbursed by the Government for the first 78½ years of its existence was but 13.08 per cent. of the amount which has been received and disbursed by the Republican party during the 21 years ending June 30, 1882.

**Losses in Collections and Disbursements—Average loss per 1,000 from 1861 to 1882, only 4-10 cents—Under President Arthur not the loss of \$1 from any Source whatever.**

From March 4, 1789, to June 30, 1861, the losses on receipts amounted to \$4,734,020.24, or in a ratio of \$2.09 for each \$1,000 received. From July 1, 1861, to June 30, 1882, the losses on receipts amounted to \$4,260,355.04, or in a ratio of 24½ cents for each \$1,000 received.

From March 4, 1789, to June 30, 1861, the losses on disbursements amounted to \$18,899,268.23, or in a ratio of \$8.47 for each \$1,000 disbursed.

From July 1, 1861, to June 30, 1882, the losses on disbursements amounted to \$9,628,589.75, or in a ratio of 56 4-10 cents for each \$1,000 disbursed.

In other words, the amount of money involved from March 4, 1789, to June 30, 1861, was \$4,494,607,783.89, on which the losses amounting to \$23,633,288.99 average \$5.26 per \$1,000; and from July 1, 1861, to June 30, 1882, with an aggregate of \$34,364,199,312.93, the losses have amounted to \$13,888,944.26, or an average of 40 4-10 cents per \$1,000.

Such is the record of the administra-

tion of the Republican party. It speaks for itself. Under its present leaders we have every assurance there will be no backward step taken. Comment is unnecessary. In this connection, it is worthy of note, that since President Arthur assumed his office there has not occurred a loss to the Government from any source whatever of even a single dollar.

#### Actual Reduction of Internal Revenue Taxation

Acts.	Annual Reduction.
Act of July 13, 1866.....	\$65,000,000
Act of March 2, 1867.....	40,000,000
Act of February 3, 1868.....	23,000,000
Act of March 31, 1868 } .....	45,000,000
Act of July 20, 1868 } .....	
Act of July 14, 1870.....	55,000,000
Income-Tax Expired December 31, 1870.....	13,500,000
Act of June 6, 1872.....	20,651,000
Act of March 1, 1879.....	9,000,000
Total.....	271,151,000

#### Reduction of Customs Taxes.

Actual reduction—1873.....	\$28,208,774.07
Actual reduction—1874.....	24,985,689.01
Actual reduction—1875.....	6,370,286.76
	<b>\$59,564,749.84</b>



## CHAPTER XIX.—Part I.—Republican Economy.

Republican Economy Shown by a Comparison of the Last three years of Republican Appropriations with the Last three years of Democratic Appropriations.—An Aggregate Excess in three years of \$73,206,991.40 of Democratic Appropriations over the Republican, or an average Annual Excess of \$24,402,330.46.—Latest Official Treasury Statement, dated August, 1882.

	APPROPRIATIONS FOR THE LAST THREE YEARS OF REPUBLICAN RULE.				APPROPRIATIONS FOR THE LAST THREE YEARS OF DEMOCRATIC RULE.			
	3d session 42d Congress, Fis- cal year 1874.	1st session 43d Congress, Fis- cal year 1875.	2d session 43d Congress, Fis- cal year 1876.	3d session 45th Congress, 1st session 46th Congress, Fis- cal year 1880.	2d session 46th Congress, Fis- cal year 1881.	3d session 46th Congress, Fis- cal year 1882.		
To supply deficiencies for the service of the various branches of the Gov't	\$11,148,299.96	\$4,053,812.39	\$2,387,372.38	\$4,633,824.55	\$6,118,085.10	\$5,110,802.39		
For legislative, executive, and judicial expenses of the Government.	18,170,441.18	20,738,255.50	16,038,699.49	16,136,230.31	16,785,308.93	18,132,897.61		
For sundry civil expenses of the Government.	32,173,257.90	26,924,746.88	29,459,853.02	17,634,868.56	24,216,135.90	23,701,008.59		
For support of the Army.	31,736,008.81	27,788,500.00	27,353,890.00	26,797,300.00	26,429,800.00	26,687,800.00		
For the Naval Service.	22,275,707.65	20,813,946.70	17,001,306.90	14,028,468.95	14,405,797.70	14,566,037.55		
For the Indian Service.	5,565,218.90	5,533,274.87	5,425,627.00	4,713,478.58	4,657,262.72	4,587,866.80		
For Rivers and Harbors.	7,352,900.00	5,225,000.00	6,648,517.50	9,577,494.61	8,976,900.00	11,451,300.00		
For Forts and Fortifications.	1,899,000.00	904,000.00	850,000.00	275,000.00	550,000.00	575,000.00		
For Support of Military Academy.	344,317.56	339,835.00	364,740.00	319,547.33	316,231.28	322,435.37		
For Service of Post-Office Department.	6,496,002.00	7,175,542.00	8,376,205.00	5,872,376.10	3,883,420.00	2,152,258.00		
For Invalid and other Pensions.	30,480,000.00	29,980,000.00	30,600,000.00	46,233,200.00	41,644,000.00	68,282,306.68		
For Consular and Diplomatic Service.	1,311,339.00	5,404,801.00	1,374,985.00	1,097,735.00	1,180,335.00	1,191,435.00		
For Miscellaneous.	3,342,647.86	2,108,040.86	1,853,804.32	5,085,123.77	4,959,332.01	1,128,006.15		
Totals.	172,290,700.82	155,017,758.20	147,714,940.81	162,404,647.76	154,118,212.64	177,889,214.14		
Coin value of one dollar paper currency.	89.3	88.8	87.8	100	100	100		
Coin value of amount appropriated.	153,855,595.83	137,655,769.28	129,693,718.03	162,404,647.76	154,118,212.64	177,889,214.14		

## RECAPITULATION:

## DEMOCRATIC APPROPRIATIONS.

1880.....\$162,404,647.76 }  
 1881.....154,118,212.64 }  
 1882.....\$494,412,074.54 }  
 .....177,889,214.14 }

## REPUBLICAN APPROPRIATIONS.

1874.....\$153,855,595.83 }  
 1875.....137,655,769.28 }  
 1876.....129,693,718.03 }  
 .....73,206,991.40 }  
 Aggregate excess in three years of Democratic Appropriations over Republican.....24,402,330.46  
 Average annual excess.....

Thus the fraudulent character of the Democratic claim of economy, or to a reduction of Government expenditures, when in control of appropriations, is clearly exposed.

# PART II.

## Statement of the Appropriations Made by Congress for the Fiscal Years 1882 and 1883, by Appropriation Acts.

	3d session 46th Congress Fiscal Year 1882.	1st session 47th Congress Fiscal Year 1883.
To supply deficiencies for the services of the various branches of the Government.....	\$5,110,862.39	*\$9,800,000.00
For Legislative, Executive, and Judicial expenses of the Government..	17,797,397.61	*20,000,000.00
For Sundry Civil Expenses of the Government.....	22,011,222.87	*25,000,000.00
For Support of the Army.....	26,687,800.00	27,258,000.00
For the Naval Service.....	14,566,037.55	14,879,789.80
For the Indian Service.....	4,587,866.80	5,215,603.91
For Rivers and Harbors.....	11,451,300.00	18,988,875.00
For Forts and Fortifications.....	575,000.00	375,000.00
For Support of Military Academy.....	322,435.37	335,557.04
For Service of Post-Office Department (deficiency in revenue).....	2,152,258.00	1,932,177.90
For Invalid and other Pensions (including deficiencies).....	68,282,306.68	116,000,000.00
For Consular and Diplomatic Service.....	1,191,435.00	1,256,655.00
For Service of Agricultural Department.....	335,500.00	427,280.00
For Expenses of District of Columbia.....	3,379,571.44	3,496,046.58
For Miscellaneous.....	1,128,006.15	*5,566,000.00
<b>Total Annual Appropriations.....</b>	<b>179,578,999.86</b>	<b>250,500,985.23</b>

\*Approximated.

Annual Appropriations for 1883 (approximated).....	\$250,500,000.00	
Appropriations out of the Postal Revenues, for Post-Office Department, 1883.....	44,643,900.00	
<b>Total for 1883.....</b>		\$295,143,900.00
Annual Appropriations for 1882.....	179,578,999.86	
Appropriations out of the Postal Revenues, for Post-Office Department, 1882.....	40,972,432.00	
<b>Total for 1882.....</b>		220,551,431.86
Increased Appropriations 1883 over 1882.....		*74,592,468.14
Or, say.....		*75,000,000.00

Which is exclusive of the appropriation of the balance of the Geneva Award, amounting to about \$9,500,000.00.

NOTE.—The table for 1882 is readjusted to show the appropriations for the District of Columbia and the Agricultural Department, separately, as these appropriations are now provided for in separate bills, and it differs, on this account, from the table in the Finance Report for 1881. The appropriations for 1882 are also increased in the sum of \$1,689,785.72 over the amount shown in the table in the Finance Report, which sum is 50 per cent. of the appropriations for the District of Columbia payable out of the District revenues, but as the entire revenues of the District enter into the general receipts of the United States Government the whole amount appropriated for the District should be added in the total of appropriations.

The table for 1883 shows an aggregate appropriation of \$250,500,000, approximated. The exact totals of several of the appropriation acts cannot now be given owing to the increased work required to adjust the appropriations for the year in consequence of the passage of the Joint Resolutions of the last session of Congress continuing appropriations on the basis of last year until the regular bills became laws.

The above table was prepared at the United States Treasury Department. Mr. Allison, of Iowa, chairman of the Senate Finance Committee, in his review, in the Senate, of the appropriations of 1883, thus states the increase:

Total increase .....	\$77,532,621 34
Enumerated items of increase:	
For pensions.....	\$47,717,693 00
Rivers and harbors.....	7,196,075 00
Deficiencies of last year appropriated this year	13,205,951 00
Post-Office (paid out of postal revenues).....	3,636,468 00
Additional clerks for Pension Office.....	1,742,430 00
Water supply, city of Washington.....	1,485,279 00
Tenth census deficiency.....	540,000 00
	<u>75,573,896 00</u>

Leaving specifically unaccounted for an increase of..... 1,958,725 34

Mr. Allison thus makes the aggregate increase \$77,532,621.34, as against the Treasury estimate above of \$75,000,000. Mr. Allison shows that every item of increase is not only made necessary by the large and rapid growth of the country, but by obligations created by previous Congresses. The present Congress had either to honorably appropriate the necessary sums to meet them or to openly repudiate them. He shows serialism the character and amount of each item. Of the increase of \$23,066,938 in miscellaneous appropriations, \$19,516,574 were to supply deficiencies in the appropriations of last year, as follows:



Pension deficiencies for 1882 .....	\$16,000,000 00
Urgent deficiencies, miscellaneous.....	1,952,074 06
Tenth census, deficiency.....	540,000 00
Public printing and binding, deficiency.....	465,000 00
Dies, paper, and stamps, deficiency, 1882.....	345,000 00
Fees of witness in United States courts, 1882.....	70,000 00
Fuel, lights, &c., for public buildings under Treasury Department, deficiency, 1882.....	64,500 00
Supplies for Arrapahoe, Cheyenne, &c., Indians, deficiency, 1882 .....	80,000 00
	\$19,516,574 06

The remainder was for public buildings.

The largest item of increase was for pensions: \$47,717,693, over 61 per cent. of the aggregate increase, and including a deficiency of \$16,000,000 in the pension appropriation of last year. This increase was made necessary by the arrears of pensions act. What was Congress to do? Appropriate the necessary sum, or repudiate its obligation under the act? What say the Democracy?

The next increase of appropriations is for rivers and harbors, and almost wholly for the improvement of the Mississippi and Missouri rivers. That is an improvement rendered necessary by the vast and increasing tonnage and traffic of the rivers, and the demand of the country for cheap transportation of the immense grain and other products of the great west. It is thus an improvement and appropriation in the interest of the whole people. It is one long needed, and one which could no longer be ignored. Besides, it was, as Mr. Allison shows, a non-partisan appropriation, being voted for by both Democrats and Republicans.

The increase for the Post Office Department is merely a nominal increase; it is not a real increase. Every dollar of it will be met by the postal revenues, while through the savings from the favorable contracts this year for the transportation of the mails, there will be a substantial reduction of over \$2,000,000.

The increase caused by the addition to the pension clerical force was rendered necessary by the condition of the work in the Pension Office, and the loud demand of the invalid soldier, and the widows and orphans of soldiers, for the payment of their pensions. The work is years behind, and the appropriation could not in justice be withheld. Nor could the appropriation for the Mississippi sufferers. It was one demanded by every Christian principle.

The increase for the General Land Office will, as Senator Beck showed, be made up by the more rapid sales of public lands, while the increase for the Patent Office will be paid for, not by the people, but by inventors. An important fact in connection with this increase is that these appropriations cover all the probable wants of the Government. No deficiencies are expected. And Mr. Allison shows that if we exclude the above increase for extraordinary expenditures and deficits and "the increase of this year for public buildings, amounting in all to \$2,829,500," the appropriations for the ordinary expenses of the Government "are less than for last year." Mr. Allison said:

I think I can say to the Senate that under the circumstances this is a most satisfactory conclusion of the appropriations of this year, when we take into account the circumstances that were pressing upon the Committee on Appropriations arising from the legislation of the last two or three years.

## CHAPTER XX.

## National Political Platforms, 1880.

## PART I.

**Republican, 1880.**

The Republican party, in National Convention assembled, at the end of twenty years since the Federal Government was first committed to its charge, submits to the people of the United States this brief report of its administration:

It suppressed a rebellion which had armed nearly a million men to subvert the national authority [applause;] it reconstructed the Union of the States with freedom instead of slavery as its corner stone [applause;] it transformed 4,000,000 human beings from the likeness of "things" to the rank of citizens [applause;] it relieved Congress from the infamous work of hunting human slaves, and charged it to see that slavery does not exist [applause;] it has raised the value of our paper currency from 38 per cent. to the par of gold [applause;] it has restored upon a solid basis payment in coin of all national obligations, and has given us a currency absolutely good and equal in every part of our extended country [applause;] it has lifted the credit of the nation from the point of where 6 per cent. bonds sold at 86, to that where 4 per cent. bonds are eagerly sought at a premium. [Applause.]

Under its administration railways have increased from 31,000 miles in 1860 to more than 82,000 miles in 1879. [Applause.] Our foreign trade has increased from \$700,000,000 to \$1,150,000,000 in the same time, and our exports, which were \$200,000,000 less than our imports in 1860, were \$265,000,000 more than our imports in 1879. [Applause, and cries of "Good!" "Good!"] Without resorting to loans, it has, since the war closed, defrayed the ordinary expenses of the government besides the accruing interest on the public debt, and has disbursed annually more than \$30,000,000 for soldiers' and sailors' pensions. It has paid \$800,000,000 of the public debt, and, by refunding the balance at lower rates, has reduced the annual interest charge from nearly \$150,000,000 to less than \$89,000,000. All the industries of the country have revived, labor is in demand, wages have increased, and throughout the entire country there is evidence of a coming prosperity greater than we have ever

enjoyed. Upon this record the Republican party asks for the continued confidence and support of the people, and this convention submits for their approval the following statement of the principles and purposes which will continue to guide and inspire its efforts:

1. We affirm that the work of the Republican party for the last twenty years has been such as to commend it to the favor of the nation; that the fruits of the costly victories which we have achieved through immense difficulties should be preserved; that the peace regained should be cherished; that the Union should be perpetuated, and that the liberty secured to this generation should be transmitted undiminished to other generations; that the order established and the credit acquired should never be impaired; that the pensions promised should be paid; that the debt so much reduced should be extinguished by the full payment of every dollar thereof; that the reviving industries should be further promoted, and that the commerce already increasing should be encouraged.

2. The Constitution of the United States is a supreme law, and not a mere contract. [Applause.] Out of confederated States it made a sovereign nation. Some powers are denied to the nation, while others are denied to the States, but the boundary between the powers delegated and those reserved is to be determined by the national, and not by the State tribunal. [Cheers.]

3. The work of popular education is one left to the care of the several States, but it is the duty of the national Government to aid that work to the extent of its constitutional ability. The intelligence of the nation is but the aggregate in the several States, and the destiny of the nation must be guided, not by the genius of one State, but by the average genius of all. [Applause.]

4. The constitution wisely forbids Congress to make any law respecting the establishment of religion, but it is idle to hope that the nation can be protected against the influence of secret sectarianism, while each State is exposed to its domination. We, therefore, recommend that the Constitution be so amended as to lay the same prohibition upon the legislature of each State, and to forbid the appropriation of public funds to the



support of sectarian schools. [Cheers.]

5. We reaffirm the belief avowed in 1876 that the duties levied for the purpose of revenue should so discriminate as to favor American labor [cheers]; that no further grants of the public domain should be made to any railway or other corporation; that slavery having perished in the States, its twin barbarity, polygamy must die in the Territories; that everywhere the protection accorded to a citizen of American birth must be secured to citizens by American adoption. That we deem it the duty of Congress to develop and improve our seacoast and harbors, but insist that further subsidies to private persons or corporations must cease [cheers]; that the obligations of the Republic to the men who preserved its integrity in the day of battle are undiminished by the lapse of fifteen years since their final victory. To do them honor is and shall forever be the grateful privilege and sacred duty of the American people.

6. Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with the Congress of the United States and the treaty-making power, the Republican party, regarding the unrestricted immigration of Chinese as a matter of grave concernment under the exercise of both these powers, would limit and restrict that immigration by the enactment of such just, humane, and reasonable laws and treaties as will produce that result.

7. That the purity and patriotism which characterized the earlier career of Rutherford B. Hayes in peace and war, and which guided the thoughts of our immediate predecessors to him for a Presidential candidate, have continued to inspire him in his career as Chief Executive; and that history will accord to his Administration the honors which are due to an efficient, just, and courteous discharge of the public business, and will honor his vetoes interposed between the people and attempted partisan laws. [Cheers.]

8. We charge upon the Democratic party the habitual sacrifice of patriotism and justice to a supreme and insatiable lust for office and patronage; that to obtain possession of the National Government and control of the place, they have obstructed all efforts to promote the purity and conserve the freedom of the suffrage, and have devised fraudulent ballots, and invented fraudulent certification of returns; have labored to unseat lawfully elected members of Congress, to secure at all hazards the vote of a majority of States in the House of Representatives; have endeavored to occupy by force and fraud the places of trust given to others by the people of Maine, rescued by the

courage and action of Maine's patriotic sons; have, by methods vicious in principle and tyrannical in practice, attached partisan legislation to appropriation bills upon whose passage the very movement of Government depended; have crushed the rights of the individual; have advocated the principles and sought the favor of the Rebellion against the nation, and have endeavored to obliterate the sacred memories and to overcome the inestimably valuable results of nationality, personal freedom, and individual equality.

The equal, and steady, and complete enforcement of the laws, and the protection of all our citizens in the enjoyment of all privileges and immunity guaranteed by the Constitution, are the first duties of the nation. [Applause.]

The dangers of a "solid South" can only be averted by a faithful performance of every promise which the nation has made to the citizen. [Applause.] The execution of the laws, and the punishment of all those who violate them, are the only safe methods by which an enduring peace can be secured and genuine prosperity established throughout the South. [Applause.] Whatever promises the nation makes the nation must perform. A nation cannot with safety relegate this duty to the States. The "solid South" must be divided by the peaceful agencies of the ballot and all honest opinions must there find free expression. To this end the honest voter must be protected against terrorism, violence, or fraud. [Applause.]

And we affirm it to be the duty and the purpose of the Republican party to use all legitimate means to restore all the States of this Union to the most perfect harmony which may be possible, and we submit to the practical, sensible people of these United States to say whether it would not be dangerous to the dearest interests of our country at this time to surrender the administration of the National Government to a party which seeks to overthrow the existing policy under which we are so prosperous, and thus bring distrust and confusion where there is now order, confidence, and hope. [Applause.]

The Republican party, adhering to the principles affirmed by its last National Convention of respect for the constitutional rules governing appointments to office, adopts the declaration of President Hayes that the reform of the civil service should be thorough, radical, and complete. To this end it demands the co-operation of the legislative with the executive departments of the Government, and that Congress shall so legislate that fitness, ascertained by proper practical tests, shall admit to the public service.

## PART II.

**Democratic—1880.**

The Democrats of the United States, in Convention assembled, declared—

1. We pledge ourselves anew to the constitutional doctrines and traditions of the Democratic party, as illustrated by the teachings and example of a long line of Democratic statesmen and patriots and embodied in the platform of the last National Convention of the party.

2. Opposition to centralizationism, and to that dangerous spirit of encroachment which tends to consolidate the powers of all the departments in one; and thus to create, whatever be the form of government, a real despotism. No sumptuary laws; separation of Church and State, for the good of each; common schools fostered and protected.

3. Home rule; honest money—the strict maintenance of the public faith—consisting of gold and silver, and paper convertible into coin on demand; the strict maintenance of the public faith State and National, and a tariff for revenue only.

4. The subordination of the military to the civil power, and a general and through reform of the civil service.

5. The right to a free ballot is the right preservative of all rights, and must and shall be maintained in every part of the United States.

6. The existing Administration is the representative of conspiracy only, and its claim of right to surround the ballot-boxes with troops and deputy marshals, to intimidate and obstruct the electors, and the unprecedented use of the veto to maintain its corrupt and despotic power, insult the people and imperil their institutions.

7. The great fraud of 1876-77, by which, upon a false count of the electoral votes of two States, the candidate defeated at the polls was declared to be President, and, for the first time in American history, the will of the people was set aside, under a threat of military violence, struck a deadly blow at our system of representative government; the Democratic party, to preserve the country from a civil war, submitted for a time in firm and patriotic faith that the people would punish this crime in 1880; this issue preceded and dwarfs every other; it imposes a more sacred duty upon the people of the Union than ever addressed the conscience of a nation of a free men.

8. We execrate the course of this Administration in making places in the civil service a reward for political crime, and demand a reform by statute which will make it forever impossible for the defeated candidate to bribe his way to

the seat of a usurper by billeting villains upon the people.

9. The resolution of Samuel J. Tilden, not again to be a candidate for the exalted place to which he was elected by a majority of his countrymen, and from which he was excluded by the leaders of the Republican party, is received by the Democrats of the United States with sensibility, and they declare their confidence in his wisdom, patriotism and integrity, unshaken by the assaults of a common enemy, and they further assure him that he is followed into the retirement he has chosen for himself by the sympathy and respect of his fellow-citizens, who regard him as one who, by elevating the standards of public morality, merits the lasting gratitude of his country and his party.

10. Free ships and a living chance for American commerce on seas and on the land. No discrimination in favor of transportation lines, corporations of monopolies.

11. Amendment of the Burlingame Treaty. No more Chinese immigration, except for travel, education, and foreign commerce, and therein carefully guarded.

12. Public money and public credit for public purposes solely, and public land for actual settlers.

13. The Democratic party is the friend of labor and the laboring man, and pledges itself to protect him alike against the cormorant and the commune.

14. We congratulate the country upon the honesty and thrift of a Democratic Congress which has reduced the public expenditure \$40,000,000 a year; upon the continuation of prosperity at home and the National honor abroad, and, above all, upon the promise of such a change in the administration of the Government as shall insure us genuine and lasting reform in every department of the public service.

## PART III.

**Greenback—1880.**

1. That the right to make and issue money is a sovereign power to be maintained by the people for the common benefit. The delegation of this right to corporations is a surrender of the central attribute of sovereignty, void of the constitutional sanction; conferring upon a subordinate irresponsible power, absolute dominion over industry and commerce. All money, whether metallic or paper, should be issued and its volume controlled by the Government, and not by or through banking corporations, and when so issued should be a full legal tender for all debts, public and private.



2. That the bonds of the United States should not be refunded, but paid as rapidly as is practicable, according to contract. To enable the government to meet these obligations, legal-tender currency should be substituted for the notes of the National banks, the National banking system abolished, and the unlimited coinage of silver, as well as gold, established by law.

3. That labor should be so protected by National and State authority as to equalize its burdens and insure a just distribution of its results; the eight-hour law of Congress should be enforced; the sanitary condition of industrial establishments placed under rigid control; the competition of contract convict labor abolished; a bureau of labor statistics established; factories, mines, and workshops inspected; the employment of children under fourteen years of age forbidden, and wages paid in cash.

4. Slavery being simple cheap labor, and cheap labor being simply slavery, the importation and presence of Chinese serfs necessarily tends to brutalize and degrade American labor; therefore, immediate steps should be taken to abrogate the Burlingame Treaty.

5. Railroad land grants forfeited by reason of non-fulfillment of contract should be immediately reclaimed by the government; and henceforth the public domain reserved exclusively as homes for actual settlers.

6. It is the duty of Congress to regulate inter-State Commerce. All lines of communication and transportation should be brought under such legislative control as shall secure moderate, fair and uniform rates for passenger and freight traffic.

7. We denounce as destructive to prosperity, and dangerous to liberty, the action of the old parties in fostering and sustaining gigantic land, railroad and money corporations and monopolies, invested with, and exercising powers belonging to the government, and yet not responsible to it for the manner of their exercise.

8. That the Constitution, in giving Congress the power to borrow money, to declare war, to raise and support armies, to provide and maintain a navy,

never intended that the men who loaned their money for an interest consideration should be preferred to the soldier and sailor who peril their lives and shed blood on land and sea in defense of their country; and we condemn the cruel class legislation of the Republican party which, while professing great gratitude to the soldier, has most unjustly discriminated against him and in favor of the bondholder.

9. All property should bear its just proportion of taxation, but we demand a graduated income tax.

10. We denounce as most dangerous the efforts everywhere manifest to restrict the right of suffrage.

11. We are opposed to an increase of the standing army in time of peace, and the insidious scheme to establish an enormous military power under the guise of militia laws.

12. We demand absolute Democratic rules for the government of Congress, placing all representatives of the people upon an equal footing, and taking away from committees a veto power greater than that of the President.

13. We demand a government of the people, by the people, and for the people, instead of a government of the bondholders, by the bondholders, and for the bondholders; and we denounce every attempt to stir up sectional strife, as an effort to conceal monstrous crimes against the people.

14. In the furtherance of these ends we ask the co-operation of all fair-minded people. We have no quarrel with individuals, wage no war upon classes, but only against vicious institutions. We are not content to endure further discipline from our present actual rulers, who, having dominion over money, over transportation, over land and labor, and largely over the press and the machinery of government, wield unwarrantable power over our institutions, and over our life and property.

15. That every citizen of due age, sound mind, and not a felon, be fully enfranchised, and that this resolution be referred to the States, with recommendation for their favorable consideration.

# Statistical Tables.

## Popular Vote for President from 1864 to 1880, Inclusive.

States.	1864.		1868.		1872.		1876.		1880.	
	Lincoln (Rep.)	McClellan (Dem.)	Grant (Rep.)	Seymour (Dem.)	Grant (Rep.)	Crawley (Lib.)	Hayes (Rep.)	Tilden (Dem.)	Garfield (Rep.)	Hancock (Dem.)
Alabama.....			76,366	72,088	90,282	79,444	68,230	102,002	56,221	91,185
Arkansas.....			22,112	19,078	41,373	37,927	38,669	58,071	42,436	60,775
California.....	62,134	43,811	54,583	54,077	54,020	40,718	78,614	75,845	80,348	80,426
Colorado.....							By Legislature.			
Connecticut.....	44,691	42,285	50,935	47,952	50,638	45,880	59,034	61,984	67,071	64,415
Delaware.....	6,185	8,767	7,023	10,980	11,115	10,306	10,732	13,381	14,133	15,275
Florida.....			By Legislature.		17,763	15,427	23,849	22,923	23,654	27,964
Georgia.....			57,134	102,722	62,550	76,356	50,446	130,088	54,086	102,470
Illinois.....	189,496	158,730	250,303	199,143	241,944	184,938	278,232	258,601	318,037	277,321
Indiana.....	150,422	131,233	176,548	166,980	186,147	163,632	208,011	213,526	232,164	225,522
Iowa.....	89,075	49,596	120,390	74,040	131,566	71,196	171,327	112,099	183,927	105,845
Kansas.....	16,411	3,691	31,048	13,990	67,048	32,970	78,322	37,902	121,949	59,801
Kentucky.....	27,786	64,301	39,586	118,891	88,768	99,995	97,156	159,690	106,306	149,068
Louisiana.....			38,263	81,225	71,668	37,029	73,135	70,636	38,637	65,007
Maine.....			70,493	42,460	61,422	29,087	66,300	49,823	74,039	65,171
Maryland.....	40,153	32,739	30,433	62,337	68,760	67,687	71,981	91,780	78,515	93,706
Massachusetts.....	126,742	48,745	136,477	59,408	133,472	59,260	150,063	108,777	165,205	111,960
Michigan.....	91,521	74,604	128,550	97,069	138,455	78,335	166,534	141,095	185,341	131,597
Minnesota.....	25,060	17,375	43,545	28,075	55,117	34,423	72,902	48,799	93,903	53,215
Mississippi.....					82,175	47,288	52,605	112,173	84,884	75,750
Missouri.....	72,750	31,678	86,860	65,628	119,196	151,434	145,029	203,077	153,567	208,009
Nebraska.....			9,749	5,439	18,329	7,812	31,616	17,554	54,979	28,523
Nevada.....	9,836	6,394	6,480	5,213	8,413	6,236	10,383	9,308	8,732	9,613
N. Hampshire.....	36,400	32,871	38,191	31,224	37,168	31,424	41,539	38,500	41,892	40,794
New Jersey.....	60,723	68,024	80,131	83,201	91,656	76,456	103,517	115,962	120,555	122,565
New York.....	368,738	361,986	419,883	429,883	440,736	387,281	489,207	521,949	555,544	534,511
N. Carolina.....			96,769	84,601	94,769	70,094	108,417	125,427	115,874	124,208
Ohio.....	265,154	205,563	280,223	238,606	231,832	244,321	331,698	323,182	375,048	340,821
Oregon.....	9,883	8,457	10,561	11,105	11,819	7,730	15,206	14,149	20,619	19,948
Pennsylvania.....	286,391	279,316	342,280	313,382	349,589	212,041	384,122	390,157	444,704	407,428
Rhode Island.....	13,632	8,470	12,993	6,548	13,665	5,329	15,787	10,712	18,195	20,779
South Carolina.....			62,301	45,237	72,290	22,703	91,870	90,906	58,071	112,812
Tennessee.....			56,628	26,129	85,655	94,391	89,566	133,166	107,677	128,191
Texas.....					47,406	66,500	44,800	104,755	57,893	156,423
Vermont.....	42,419	13,321	44,167	12,045	41,481	10,927	44,092	20,254	45,567	18,316
Virginia.....					93,468	91,654	93,558	136,670	84,020	128,588
West Virginia.....	23,132	10,438	29,175	20,306	32,313	29,451	42,698	56,455	46,243	57,391
Wisconsin.....	83,438	65,894	108,337	84,707	104,997	86,477	130,668	123,927	144,400	114,649
Total.....	2,216,067	1,808,727	3,015,071	2,709,613	3,597,070	2,834,079	4,033,295	4,284,265	4,454,416	4,444,952
Majority.....	407,342		305,458		762,991		Over all.	157,394	9,464	Plurality

In 1872 the Straight Democratic ticket (O'Connor) received 29,489 votes, and the Prohibition ticket (Black) 5,603.

In 1876 Cooper (Greenback) received 81,737 votes, and Smith (Prohibition) 9,522 votes. The "Anti-Secret Society ticket" received 539 in all. There were 1,778 votes returned as "scattering" in various States. In Michigan there were 12,937 returned as "imperfect and scattering."

In 1880 Weaver (Greenback) received 308,578 votes; Dow (Prohibition), 10,305; "American" ticket, 707, and 929 "imperfect and scattering." In Louisiana the "regular" Garfield ticket polled 28,297 votes; the "Beattie" Garfield ticket, 10,340. In Virginia the "regular" Hancock ticket polled 96,912 votes; the "Readjuster" Hancock ticket, 31,674.

Year.	Total vote.	Year.	Total vote.	Year.	Total vote.	Year.	Total vote.	Year.	Total vote.
1824.	352,062	1836.	1,498,205	1848.	2,872,806	1860.	4,676,853	1872.	6,431,149
1828.	1,136,328	1840.	2,410,772	1852.	3,142,877	1864.	4,024,792	1876.	8,424,073
1832.	1,217,691	1844.	2,098,608	1856.	4,063,967	1868.	5,724,624	1880.	9,299,947

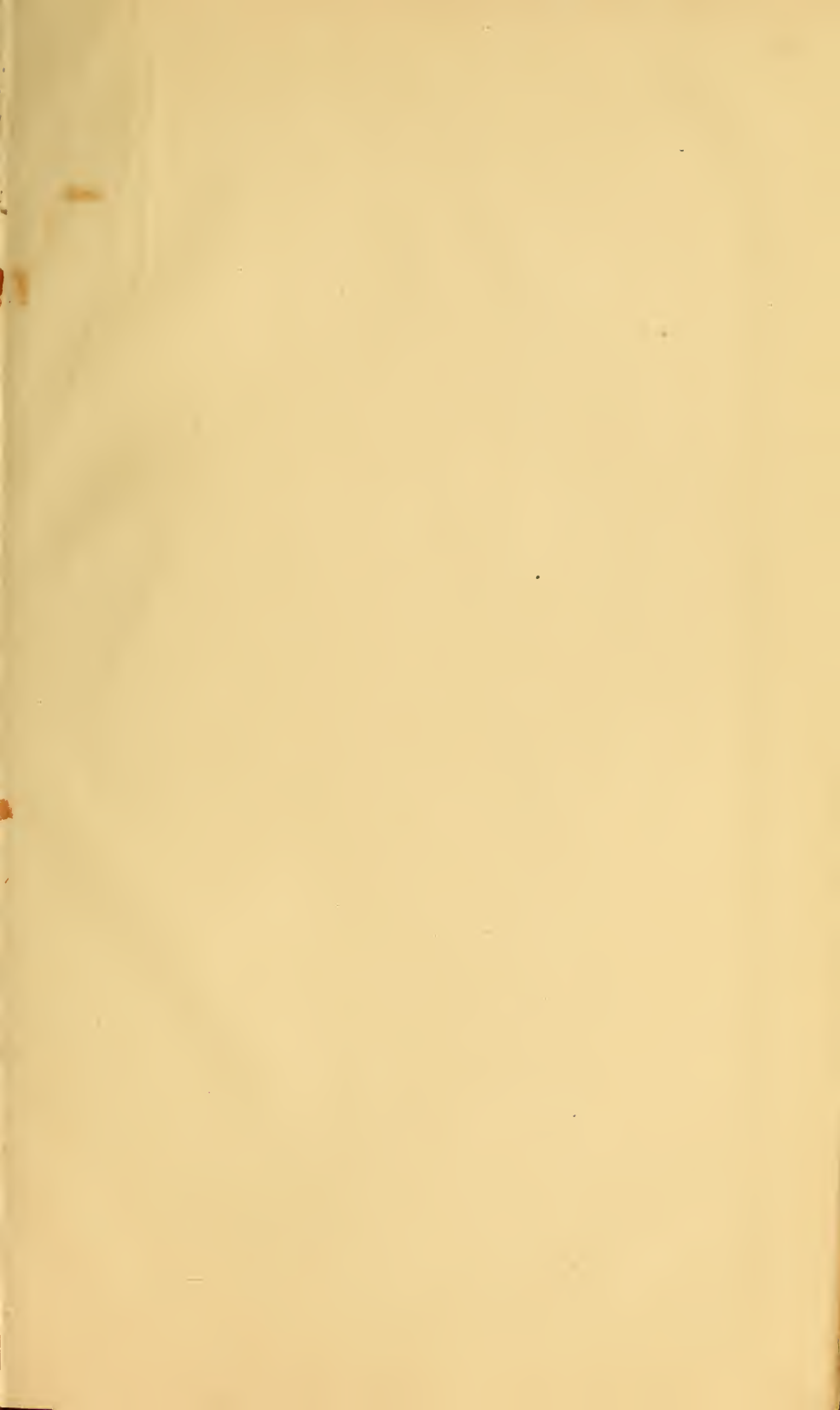


## Electoral Vote for President and Vice-President since 1868.

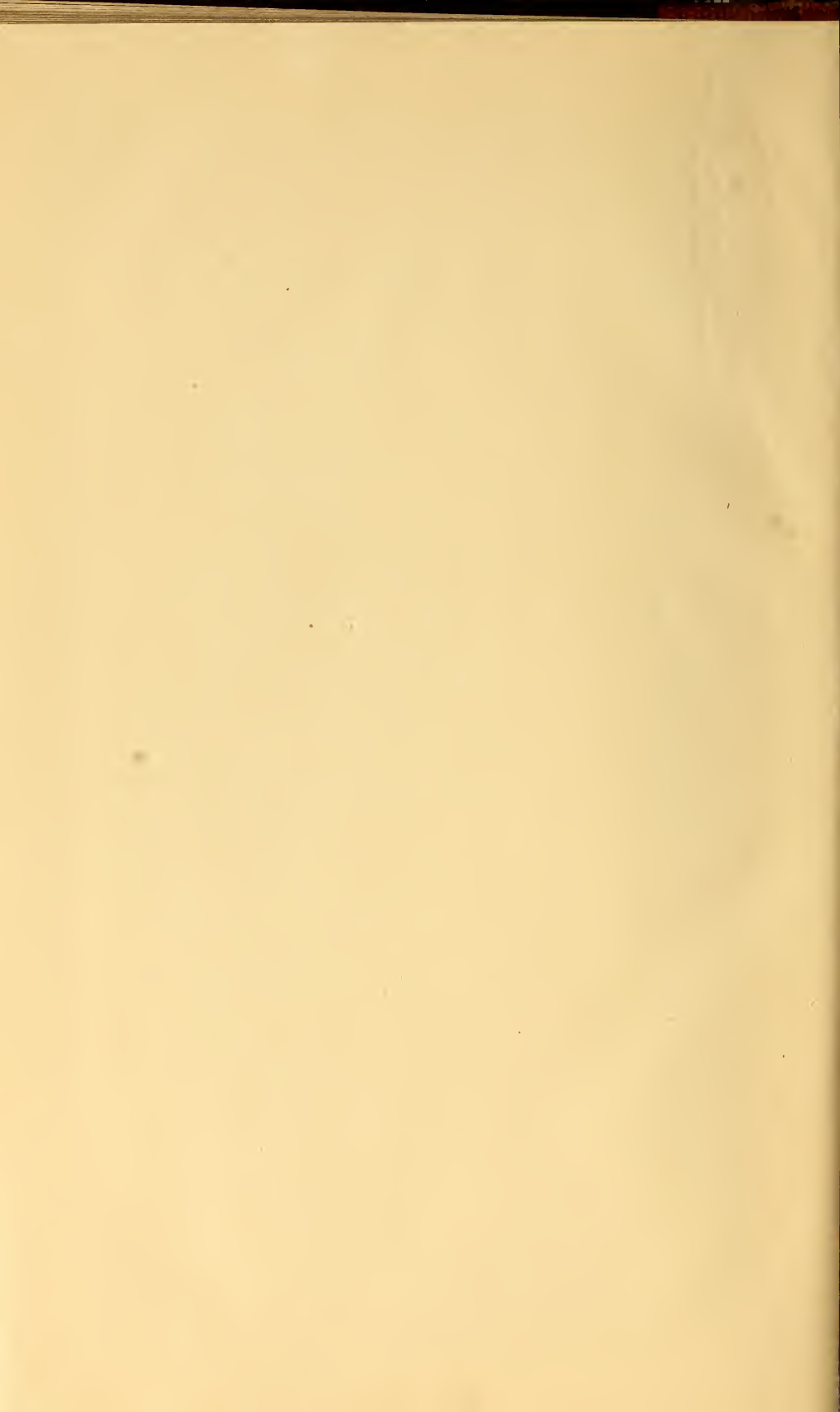
States—(38.)	1868.				1872.						1876.				1880.				
	Pres.		V. P.		President.			V. P.			Pres.		V. P.		Pres.		V. P.		
	Grant.....	Seymour....	Collax.....	Blair.....	Grant.....	Hendricks..	Brown.....	Jenkins, (Ga.)	Davis (Ill.)...	Wilson.....	Brown.....	Hayes.....	Tilden.....	Wheeler.....	Hendricks..	Garfield.....	Hancock.....	Arthur.....	English.....
Alabama.....	8	8	8	8	10	†	†	†	†	†	10	...	10	...	10	...	10	...	10
Arkansas.....	5	5	5	5	†	†	†	†	†	†	6	...	6	...	6	...	6	...	6
California.....	5	5	5	5	6	...	...	...	...	...	6	...	6	...	6	...	6	...	6
Colorado.....	6	6	6	6	6	...	...	...	...	...	6	...	6	...	6	...	6	...	6
Connecticut.....	3	3	3	3	4	...	...	...	...	...	4	...	4	...	4	...	4	...	4
Delaware.....	3	3	3	3	4	...	...	...	...	...	4	...	4	...	4	...	4	...	4
Florida.....	8	8	8	8	10	...	...	...	...	...	10	...	10	...	10	...	10	...	10
Georgia.....	16	16	16	16	21	...	...	...	...	...	21	...	21	...	21	...	21	...	21
Illinois.....	13	13	13	13	15	...	...	...	...	...	15	...	15	...	15	...	15	...	15
Indiana.....	8	8	8	8	11	...	...	...	...	...	11	...	11	...	11	...	11	...	11
Iowa.....	3	3	3	3	5	...	...	...	...	...	5	...	5	...	5	...	5	...	5
Kansas.....	11	11	11	11	8	...	...	...	...	...	8	...	8	...	8	...	8	...	8
Kentucky.....	7	7	7	7	†	†	†	†	†	†	7	...	7	...	7	...	7	...	7
Louisiana.....	7	7	7	7	8	...	...	...	...	...	8	...	8	...	8	...	8	...	8
Maine.....	12	12	12	12	13	...	...	...	...	...	13	...	13	...	13	...	13	...	13
Maryland.....	8	8	8	8	11	...	...	...	...	...	11	...	11	...	11	...	11	...	11
Massachusetts.....	4	4	4	4	5	...	...	...	...	...	5	...	5	...	5	...	5	...	5
Michigan.....	11	11	11	11	8	...	...	...	...	...	8	...	8	...	8	...	8	...	8
Minnesota.....	11	11	11	11	6	...	...	...	...	...	6	...	6	...	6	...	6	...	6
Mississippi.....	1	1	1	1	3	...	...	...	...	...	3	...	3	...	3	...	3	...	3
Missouri.....	3	3	3	3	3	...	...	...	...	...	3	...	3	...	3	...	3	...	3
Nebraska.....	3	3	3	3	3	...	...	...	...	...	3	...	3	...	3	...	3	...	3
Nevada.....	5	5	5	5	5	...	...	...	...	...	5	...	5	...	5	...	5	...	5
New Hampshire.....	7	7	7	7	9	...	...	...	...	...	9	...	9	...	9	...	9	...	9
New Jersey.....	33	33	33	33	35	...	...	...	...	...	35	...	35	...	35	...	35	...	35
New York.....	9	9	9	9	10	...	...	...	...	...	10	...	10	...	10	...	10	...	10
North Carolina.....	21	21	21	21	22	...	...	...	...	...	22	...	22	...	22	...	22	...	22
Ohio.....	3	3	3	3	3	...	...	...	...	...	3	...	3	...	3	...	3	...	3
Oregon.....	26	26	26	26	29	...	...	...	...	...	29	...	29	...	29	...	29	...	29
Pennsylvania.....	4	4	4	4	4	...	...	...	...	...	4	...	4	...	4	...	4	...	4
Rhode Island.....	6	6	6	6	7	...	...	...	...	...	7	...	7	...	7	...	7	...	7
South Carolina.....	10	10	10	10	12	...	...	...	...	...	12	...	12	...	12	...	12	...	12
Tennessee.....	5	5	5	5	8	...	...	...	...	...	8	...	8	...	8	...	8	...	8
Texas.....	5	5	5	5	5	...	...	...	...	...	5	...	5	...	5	...	5	...	5
Vermont.....	11	11	11	11	11	...	...	...	...	...	11	...	11	...	11	...	11	...	11
Virginia.....	5	5	5	5	5	...	...	...	...	...	5	...	5	...	5	...	5	...	5
West Virginia.....	7	7	7	7	10	...	...	...	...	...	10	...	10	...	10	...	10	...	10
Wisconsin.....	8	8	8	8	10	...	...	...	...	...	10	...	10	...	10	...	10	...	10
Total.....	214	71	214	71	286	42	18	2	1	286	47	185	184	185	184	214	155	214	155

Note.—The votes of three electors from Georgia were returned in 1872 for Horace Greeley; but as he was dead at the time the votes were cast in the Electoral College, it was decided not to count them.

\*No vote. †Rejected. ‡Cast on second Wednesday of December. ¶19 Scattering.

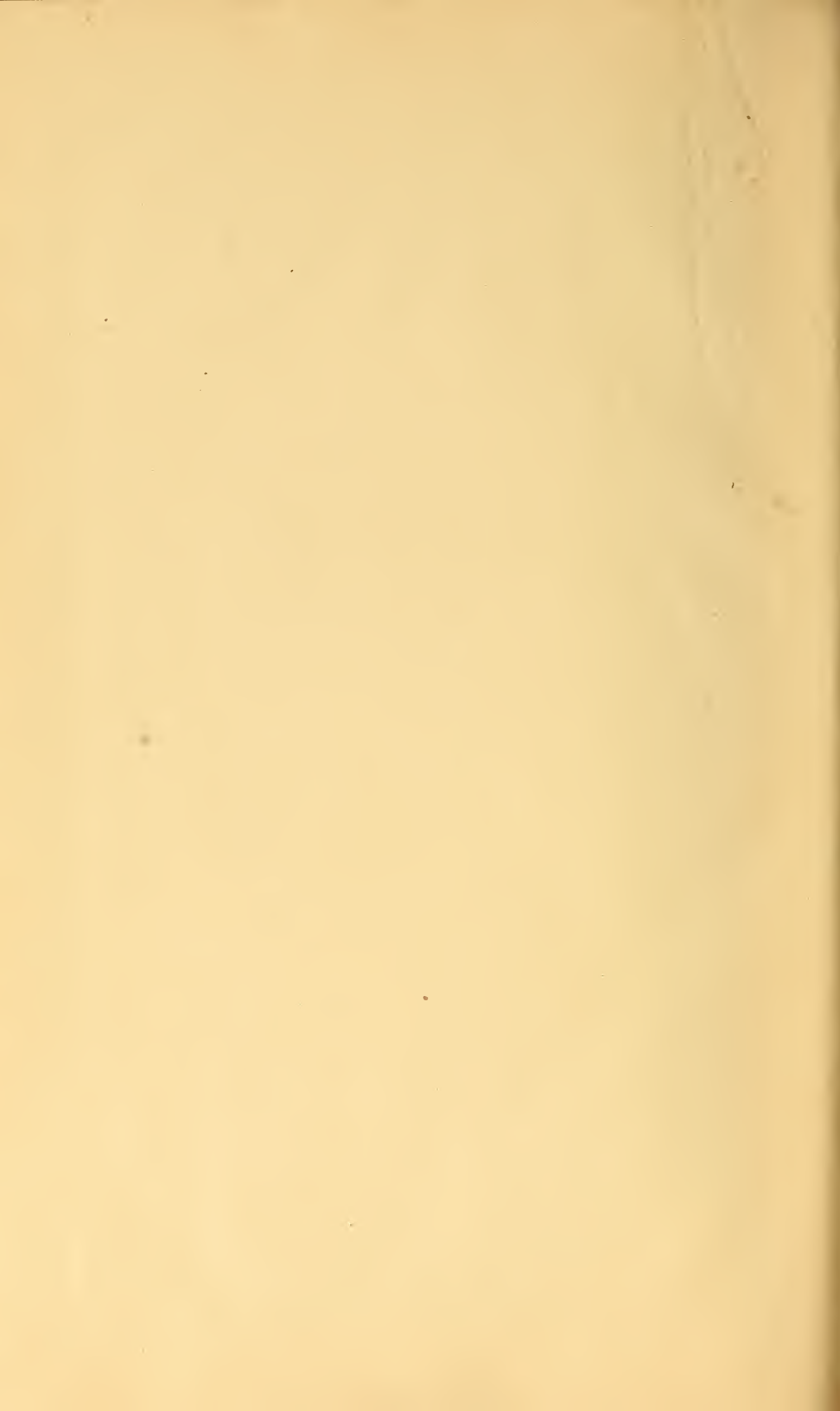
















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